LOCAL GOVERNMENT IN ANCIENT INDIA

RADHAKUMUD MOOKERJI

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LOCAL GOVERNMENT IN ANCIENT INDIA

BY

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WITH FOREWORD BY
THE MARQUESS OF CREWE, K.G.

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TO

HIS HIGHNESS

SRI KRISHNA RAJA WADIYAR BAHADUR

G.C.S.I., G.B.E.,

MAHARAJA OF MYSORE

FOUNDER AND CHANCELLOR OF MYSORE UNIVERSITY

CHANCELLOR OF BENARES HINDU UNIVERSITY

WHO REPRESENTS THE BEST IDEALS OF A HINDU KING

AND

WHOSE NAME IS A HOUSEHOLD WORD THROUGHOUT INDIA

FOR HIS

MATCHLESS MUNIFICENCE IN THE CAUSE OF LEARNING

FOREWORD

It is reasonable to hope that this important work by Dr. Mookerji, while appealing specially to professed students of Indian institutions, may also attract the attention of a wider circle of readers. The advancing steps of Indian government, aided as time goes on by the guiding hand rather than by the all-sustaining arm of Britain, are a matter of concern to millions of Britons who will never see India. It is our duty, therefore, to admit into the recesses of an obscure and difficult inquiry all the light which can be thrown upon them by comparative study of past annals. India, as Dr. Mookerji reminds us, enjoyed from the earliest dawn of her history a singularly complete system of local government; and he points a moral, not to be ignored by ourselves, that in the absence of modern facilities of communication, and consequently of direction, this fact offers the main explanation of the early existence of great Indian empires, comparable in area to our own. So it may well be that the successive applications to transport of power produced by coal, electricity, and oil, and the free interchange

of ideas have not entirely neutralized the virtues of decentralized administration. One is therefore glad to know that the Decentralization Commission of 1908–9 devoted close attention to this branch of their inquiry, while the recent Report by Mr. Montagu and Lord Chelmsford appears to recognize, in a somewhat brief statement of i s authors' hopes and intentions in this regard, that it forms in fact an integral part of their wider plan.

Dr. Mookerji's frank expression of opinion that since local institutions most nearly concern most people, self-government should logically start in that sphere, is moderately couched, but will no doubt be strongly controverted. He may be asked to examine the experience of the United Kingdom on the one hand, and of Russia on the other, in opposition to this thesis. But, be this as it may, there is perhaps in some minds a tendency to dwell on the grander and more showy aspects of progressive self-government rather than on the humbler practical results which may revive and brighten the lives of the unknown millions of India. To such extravagances the study of Dr. Mookerji's work will b a useful corrective.

Of the epigraphic portion of the monograph I cannot speak with any technical knowledge; but the care and i dustry which have produced so complete a composition demand a word of recognition.

In conclusion I must express the satisfaction which will be shared by many concerned with Indian affairs, that this book, framed in the sacred atmosphere of Benares, should have been completed at the southern University of Mysore, in congenial and lettered surroundings, and under the encouragement of an enlightened Hindu prince.

CREWE.

AUTHOR'S PREFACE

THE present work aims at a systematic presentation of an important aspect of Indian culture-history, the origin and development of various local institutions through which the communal life of the country expressed itself. The remarkable range, volume, and variety of the evidence bearing on the subject call for a methodical and scientific treatment which will bring into prominence the exuberant vitality and manifold growth of self-governing institutions among a people characterized by a genius for social experiments and constructions.

The treatment of the evidence as a connected and comprehensive whole is, however, not free from certain difficulties owing to its special character. This has been discussed in the work towards the conclusion. The evidence of the North and the evidence of the South are separated, for example, not merely by a distance in space, but also by a distance in time. The later date of the southern evidence has been explained by a competent archaeologist on the assumption that the institutions referred to therein were importations from the

North, and hence late in their appearance in the South. Both the evidences point, in fact, to parallel lines of development with the necessary local variations. The substantial similarity of the organizations in the North and the South has been the main argument in favour of subjecting them to a common treatment. Intensive studies of local areas have been sometimes supposed to be the only admissible method for investigating the social phenomena of a country like India possessed of such vast territorial extent and variety of social stratification and composition, but, in the majority of cases, such studies do not weaken, but strengthen, the case for generalizations and extensive studies for the whole of India. Sometimes local developments are indeed better understood as parts of a wider and more fundamental one: a study of the whole throws light on the parts. The truth is that India is fundamentally one, physically and culturally. I have very often found that the literary and epigraphic evidence, the law-books and the inscriptions, support and explain one another in spite of their differences in date and locality.

In this connexion I may indicate two possible sources of error in historical treatment. The first is to lose sight of the organic inter-connexions of cultural developments in the mass of local particulars. This naturally leads to a narrow sectional view of

Indian history that seeks, for example, to pit Aryan against non-Aryan, South against North, Brahmanical records and sources against Buddhist, or indigenous growths, evolutions, and assimilations against foreign importations, imitations, or exploitations. The second is to miss the spontaneity and significance of specific variations which give body and shape to the generic experiences of the historical consciousness in particular environments. This has been a fruitful source of historic misinterpretations, among which we may mention the tendency to see in Indian history endless repetitions of one invariable type of state and political institutions, autocratic and theocratic in their character, thus to apply the linear view of social evolution to Indian political developments; or to interpret the various indigenous codes of law as being based only on the rigid concept of sovereignty without recognizing how largely are the origins of law and constitution in India traceable to the pristine factors of the indigenous scheme of social values.

Here I may as well raise a caveat against certain sources of bias which are apt to vitiate our historical judgements. Sometimes there is an unfounded belief in immobile, exaggerated racial types, in an exclusive European or Asiatic mentality, which, if true, would make Indian history disparate with European. Others again have sought to interpret

and appraise Indian culture in terms of the fundamental concepts of Western social progress and civilization. This unfortunately amounts to putting Indian life in all its original and spontaneous forms and vigorous growths into the Procrustean bed of the shibboleths and copy-book maxims of Western social science. I have tried my best to be on my guard against these sources of bias. If I have occasionally seemed to be guilty of reading into ancient records the modern notions of the West, perhaps the very conditions of writing on indigenous topics in a foreign language are largely responsible for it. I have been driven to the necessity of using, for instance, such familiar terms of Western political experience as guilds (craft-guilds and merchant-guilds), partnerships, municipalities, and the like, but they do not always imply precisely corresponding institutions in Indian politics with an exact identity of structure and functions. I have used them in a broad sense as convenient symbols to express allied realities or notions. It will also, I trust, be found that I have not made any observations or drawn any conclusions which are not supported by the clearest texts or other adequate evidence.

Finally, it has to be borne in mind that the methods of investigation as well as canons of criticism which apply to the social sciences, or studies in culture-history, must differ from those

of the physical sciences which deal with phenomena admitting of exact quantitative measurement.

There are a few minor points to which I may also advert in this connexion. In the introduction I have put forward, as a tentative suggestion, the hypothesis about the peculiar relations between the state and society in ancient India which has, to my mind, the merit of explaining some of the paradoxes in its history and throwing light on some of its obscure aspects or chapters. The introduction, I trust, will thus be found to be a contribution to the study of Indian political evolution. Another point requiring mention is that in citing South Indian evidence I have had reasons to depart from the chronological limits of the ancient period of Indian history, and to bring within its purview certain passages of what is generally regarded as the mediaeval period of that history. For it has to be recognized that there are certain fundamental factors which do not always permit the ancient and mediaeval periods of North and South Indian history to agree closely in chronological limits. There are wide divergences in the dates of our evidence in the North and the South, and, consequently, in the dates of the corresponding historical developments, so that to apply under such dissimilar circumstances a common chronological criterion would be an attempt at a forced and artificial

uniformity. The ancient period is longer in the South than in the North, while the mediaeval period may be regarded as dating practically from the battle of Talikota (A. D. 1565), the date of the downfall of the great Hindu Empire of Vijayanagara, the last of the independent political states of ancient Hindu India.[1] Accordingly, there are numerous references in the work to South Indian evidence, ranging in dates from the ninth to the twelfth and even thirteenth and fourteenth centuries A. D., while the evidence for the North closes at a much earlier period. The third point requiring notice is that, while the evidence of the South Indian inscriptions is copious in its details respecting the constitution of the local bodies, that of the North is practically devoid of such details, which can only be but partially gathered from the literary texts. As regards the terms used for such local bodies, the South Indian inscriptions invariably use two terms, viz. *Mahāsabhā* and *Sabhā*, indicating respectively the general or the greater assembly and the smaller and subordinate committee of the larger body, while the corresponding terms used in the northern inscriptions are *Śreṇī*, *Nigama*, and *Nigama-Sabhā*. It may be noted in passing that the use of Sanskrit

[1] It may be noted that the treatment of South Indian history in the *Imperial Gazetteer*, new ed., adopts the same chronological limit.

terms for these local bodies in the South is one more indication of the fact that they are parts of a common Indian system with organic affinities. The last point on which I should like to comment is that the present work does not treat of all classes of local bodies in ancient India: the educational and purely religious bodies, like the *pariṣads* and *saṅghas* for instance, which require separate monographs by themselves, have been excluded from its purview. I have already announced a monograph on 'Educational Institutions in Ancient India'.

Portions of the book were formed into a paper which I read before a meeting of the Mythic Society, Bangalore, under the presidency of the Hon. Mr. Cobb, the British Resident of Mysore, in February, 1918. The paper was published in the following April issue of the *Journal of the Mythic Society*.

I owe special acknowledgements to the Marquess of Crewe, K.G., for his Foreword, to Dr. Brajendranath Seal, M.A., Ph.D., George V Professor of Philosophy in the Calcutta University, for some very valuable improvements, and to Mr. V. A. Smith, M.A., the learned historian, for his kind interest in my work shown by seeing it through the Press. I am also thankful to my colleague, Mr. M. Hiriyanna, M.A., the University Professor of Sanskrit, for his revision of the work and several valuable suggestions.

I am profoundly grateful to His Highness the Maharaja of Mysore for his gracious permission to dedicate to him, the Founder and Chancellor of the Mysore University, this humble work.

RADHAKUMUD MOOKERJI.

MYSORE UNIVERSITY,
MYSORE,
September 10, 1918.

PREFACE TO THE SECOND EDITION

In the second edition I have made some additions and alterations which, I trust, will throw new light on the subject.

Some of my critics take exception to the cumulation of Northern and Southern evidence on the subject of local bodies in Ancient India. The 'physical and cultural unity of India' is the *bête noire* of *soi-disant* orientalists of this class. A barren identity or a dead uniformity of structure and function is all that they understand by unity of type. The unity of a group, e.g. the halogen group, of a biological zone, or of a polymeric or a homologous series, is a concept which baffles these unilinear intelligences, these lengths without breadth, these 'surfaces' without depth or comprehension. Fresh investigation has only confirmed the conclusion that local government in Northern India and that in Southern India belong to the same series in the order of sociological development. Their tribal origins and rudiments may have been diverse and

heterogeneous, but there is no mistaking the essentially Indian stamp impressed upon those institutions. This is the same phenomenon of 'convergence' and environmental adaptation in *social and cultural evolution*, which has been so powerful a factor in determining race origins and race types in *physical anthropology*. Negrito or Kolarian, Dravidian or Mongoloid, all ethnic contributions, in this melting-pot of the Ages, have been incorporated into a common Indian mould, of which the artificer was the Indo-Aryan consciousness, itself the inheritor of divers indigenous traditions.

Take, again, the so-called chronological 'gap' or 'discrepancy' between the evidence from the North and that from the South. Steeped in the pedantries of the old philology and the aridities of a jejune and barren chronology, these would-be historians and critics miss a central fact of prime importance to the scientific historian, the movements and migrations of culture. In the present case, there was such an historic migration, but what travelled from the North to the South was only the cultural ideal or form, which subsumed and arranged under a certain scheme the rich and varied material of tribal institutions and ethnic customaries in the outlying regions of the East and the South. And it is to be noted that the Southern institutions, when they first emerge into view, evince marks of a certain maturity

and a certain established order, which point to a long process of silent growth in the dim twilight of the earlier centuries, unconnected though they might be with those political crises and cataclysms of state, which leave historical records behind. And the so-called 'gap' or 'gulf' is nearly bridged by the discovery of missing links which make up almost a continuous chain of evidence running through the successive epochs of Indian history. For the Northern evidence, dating back to the Vedas, does not end with the Epics, and the earlier *Smṛtis*. We have a continuing tradition in the long roll of legal texts and commentaries, ranging from the fifth to the fifteenth century—*Saṃhitās*, *Nibandhas*, *Pariśiṣṭas*, *Saṃgrahas*, *Bhāṣyas*—of which the name is legion, and which we have freely drawn upon as sources of an unimpeachable authenticity and authoritative tradition. Neither can it be contended that the Northern and the Southern evidence show any divergence, in source or in character, Brahmanical or otherwise. The congruity of these sources is complete, even to the extent of a common nomenclature, and a common framework that were imposed on originally diverse local institutions. If the earlier Northern evidence is drawn mainly from Brahmanical (and Buddhist) texts, the Southern evidence equally includes Brahmanical *Smṛtis* and commentaries, which again refer back to ancient authorities. In

the same way, the evidence of inscriptions is not confined to the south or to the mediaeval period. Part of the most important Northern evidence, for instance, comes from coins and inscriptions of the guilds of the Gupta period.

In fact, a *rigid and stereotyped* chronological method is to a large extent inadequate for scientific interpretations of cultural history. In this field, the historic or genetic method is the supreme guide in our investigation, and a chronological framework is but 'apparatus' or 'scaffolding' to be used in the service of the scientific method. And it is often necessary in these investigations to pursue an upward as well as a downward course, in other words, to trace upwards existing institutions to their origin and source, so far as an unbroken line can be discerned, and at the same time to descend from the *fons et origo* to the later and broader ramifications, until, it may be, the stream is lost in the arid deserts of mediaeval chronology. By following this double line of ascent and descent, the historic method would gain in power, range and fruitfulness: it becomes an instrument of discovery, a new organon for the investigation of that historic continuity, which is the objective of all studies in evolution, whether biological or sociological.

A doubt has been raised by an esteemed critic as to the '*sui generis*' character, which the writer has

claimed incidentally for the local bodies of ancient and mediaeval India, as distinguished from the mediaeval village communities in the West. The question is really a very difficult and complicated one, relating, as it does, to the various lines of development, along which primitive tribal institutions were differentiated into communal groups of diverse types in diverse cultural regions and epochs. The writer's views on this fundamental question of social and political evolution have been briefly indicated in the third section of the Introduction, from which the distinguishing characteristics of the Indian institutions can be easily gathered. Briefly stated, the Indian theory favours neither anarchy nor the unqualified pluralism of discrete and isolated groups without reference to any nexus or solidarity as provided by the State, by Dharma, or otherwise. The mediaeval folk-moots, guilds, and village communities among several Western peoples of Teutonic stock smacked of their primitive communal origin in pre-State conditions and had to come to terms with the State when the latter supervened by conquest or consolidation.

Nor, again, are the local bodies of ancient India the products of decentralization operating in the sphere of a central unitary State: such has been the origin of local governments in modern polity. The Indian polity, so far as it is possible to generalize in

respect of regional zones of this character, was, therefore, in its final development, neither pluralistic nor monistic in its trend and type, but a balanced synthesis of three distinct and co-existing elements, the State with its jurisdiction as represented by the Daṇḍa, the individual on the Road to Freedom (*Mukti*), and the various intermediary groups, functional, local or voluntary (e.g. in various types of Eastern monachism), connecting these two poles by means of their own Dharma, their special Codes, and Customaries.

Unless we bear this triune structure in mind, we shall fail to understand the distinctive functions of these separate elements, and thus miss the significance in Indian polity of the State's jurisdiction in arbitrating between the individual and the intermediary group, or between group and group, as well as in upholding, by Daṇḍa, by veto or otherwise, their various Dharmas, Codes, and Customaries—a jurisdiction which was radically distinct from that of an absolute central State, in existing modern polity—happily passing away—the sole organ of the collective will and personality, the supreme source of fiats and laws, and the ultimate seat of power and responsibility.

I owe special acknowledgements to Dr. William Crooke, C.I.E., and Professor A. B. Keith for their kind correction of the proofs. Dr. Brajendranath

Seal, M.A., Ph.D., King George V Professor of the Calcutta University, has laid me under great obligations by his valuable suggestions. My thanks are also due to Mr. George Frankland for his preparation of the Index.

RADHAKUMUD MOOKERJI.

MYSORE,
June, 1920.

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INTRODUCTION

§ 1.

Associated life in ancient India.

ONE of the characteristic features of ancient Hindu civilization is the marked development of associated life it exhibits. That development was achieved in varying degrees in the different spheres of life. We find it in those of religion, learning, politics, civics, and economics. In all these spheres organizations grew up on what may be regarded as a democratic or popular basis to fulfil the ends of national life. A proper presentation of Hindu culture in all its aspects and phases should take into account these diverse developments of the associated life, the many manifestations of the democratic principle which that culture represents. In the present work an attempt will be made to trace one particular line of that development, to dwell upon the workings of the democratic principle in one particular sphere.

Local government one of its aspects.

The subject has both historical and practical interest.

The subject of Local Self-Government in ancient India has both historical and practical interest. We owe largely to her elaborate system of local government the preservation of the integrity, independence,

and individuality of Hindu culture, despite the world-shaking and catastrophic political movements to which that culture was frequently exposed in the course of her history. That provided a sort of Noah's ark in which were safely protected the vital elements of Hindu civilization against the overwhelming political deluges that swept over the country from time to time. As Sir George Birdwood has truly remarked: 'India has undergone more religious and political revolutions than any other country in the world; but the village communities remain in full municipal vigour all over the peninsula. Scythian, Greek, Saracen, Afghan, Mongol, and Marāthā have come down from its mountains, and Portuguese, Dutch, English, French, and Dane up out of its seas, and set up their successive dominations in the land; but the religious trades-union villages have remained as little affected by their coming and going as a rock by the rising and falling of the tide'.[1] This is indeed an echo of an earlier utterance of Sir Charles Metcalfe: 'The village communities are little republics, having nearly everything they can want within themselves, and almost independent of any foreign relations. They seem to last where nothing else lasts. Dynasty after dynasty tumbles down; revolution succeeds to revolution; . . . but the village community remains the same. . . This

The local bodies unaffected by political revolutions have helped to preserve the culture of the race. Views of Birdwood

and of Metcalfe.

[1] *Industrial Arts of India*, p. 326.

union of the village communities, each one forming a separate little state in itself, has, I conceive, contributed more than any other cause to the preservation of the peoples of India, through all the revolutions and changes which they have suffered, and is in a high degree conducive to their happiness, and to the enjoyment of a great portion of freedom and independence'.[1]

Relations between state and society in ancient India

The fact is that India presents the rare and remarkable phenomenon of the state and the society co-existing apart from, and in some degree of independence of, each other, as distinct and separate units or entities, as independent centres of national, popular, and collective life and activity. Both of them were independent organisms with distinct and well-defined structures and functions of their own and laws of growth and evolution. The limits of state-interference were accordingly so defined and fixed as not to encroach upon the sphere of the activities of the social organization. A policy of non-interference was recognized as the ideal policy of the state, the functions of which were ordinarily restricted to 'the irreducible minimum', viz. the protection of life and property and realization of the revenue for the proper execution of that duty. There was a well-understood delimitation of the respective

[1] *Rep. Select Comm. of House of Commons*, 1832, vol. III, app. 84, p. 331.

boundaries of the political and the social organization, both of which were co-operating agencies for the promotion of the common weal. This peculiar and predominant tendency in ancient and mediaeval Indian politics is in marked contrast with that of European or Western politics generally. In the West the predominant tendency has been towards a progressive extension of state interference and state control so as to bring within its limits all the main departments of social life and national activity until the ideal is attained of a complete nationalization or socialization of all the means and processes of life itself. The state, beginning as an agent of society, becomes its master and representative; society is merged in the state to which it surrenders its functions, dropping its independent life. Thus in the West the king or the repository of the sovereign power is the head of the state as well as of society, including even the church in some cases. In ancient India the king was head of the state, but not of the society. He had a place in the social hierarchy, but it was not the highest place. As the symbol of the state he appeared to the people like a remote abstraction with no direct touch with their daily life which was governed by the social organization. The points of contact between the state and the ordinary interests of the daily life of the people were indeed very few.

contrasted with those in the West.

Local Government in the West in modern times a creation of the central government,

In bringing out this contrast between the tendencies of Indian and Western politics and political thought it is not meant that Western administrations leave no room for local self-government or have no place for the autonomous local and municipal bodies. The assumption indeed goes against the very nature of things. For it is physically impossible to administer properly the manifold interests of civilized life in the comparatively larger states of the modern world from one central government. Indeed, as Sidney Webb well points out, if we consider the most progressive countries of the West, such as the United Kingdom, Germany, France, or the United States, we shall find that by far the largest part of their government is now that which is not carried on in the capital cities by the dignified departments of state under the control of the Central National Assembly or Parliament, 'but that which is being administered locally in village, or parish, or commune, in municipality, or county, or district', under the control and in the interests of the local people in these limited areas. 'In England, for instance, the aggregate of parish councils, district councils, borough councils, and county councils happens to be, in magnitude or volume of business, greater than all the Government Departments put together.' In these advanced countries the local bodies between them spend more money, undertake more enterprises, em-

ploy more officials, and legislate more extensively than the central government.[1] But, granting all this, it is evident that these organizations of local government are mostly the creation of the central government; that these local bodies owe their present form and constitution to a process of decentralization, delegation, or devolution of powers determined by the national legislature; that they are thus in the ultimate analysis but wheels of a common machine, parts of a single plant, and are not by any means 'extra-legal' associations, devoid of any statutory warrant, and, therefore, in the eye of the law, possessed of no authority whatsoever.[2]

and not 'extra-legal' in its character.

The ancient Indian institutions have had mostly a different origin,

In respect of local self-government as it developed in India, however, we shall find that the Indian institutions are practically *sui generis*, representing a type which may be sharply distinguished from the type represented by the corresponding institutions in modern polity. The fundamental difference is that, while, in the latter case, the state, as a fully developed and completely constituted

[1] See Sidney Webb's Preface to Dr. John Mathai's *Village Government in British India*, a work to which I owe some valuable suggestions.

[2] It should be borne in mind that in the body of the text reference is made only to modern conditions as they exist in England and other countries of th West. Of course, the writer is aware that in many respects there is a remarkable approximation between early and mediaeval conditions of local government in England and those prevailing in ancient India.

body, consciously creates autonomous centres within itself by devolution and delimitation of its own functions, in the former the communal institutions, guilds, and local bodies have an independent origin and growth out of fluid and inchoate conditions of tribal life and organization. When the state comes to supervene or be superimposed upon these, it has to treat with them more or less on terms of equality and recognize their pre-existing rights by conventions and agreements which operate as charters regulating their mutual relations. Thus the varied interests of the communal life, such as administrative, judicial, civic, commercial, or industrial, are assured by the voluntary co-operation of independent and integral units of a common body politic.

and becam affiliated tc the state under certain agreements

The foregoing characterization of the system of local government in ancient India and the relations that obtained between state and society as independent organizations and centres of national life will also perhaps help us to explain and account for the somewhat perplexing phenomenon of the rise of the few empires in early Indian history administering vast and varied areas and, on two occasions, a territory more extensive than British India, stretching from Afghanistan to Mysore. It is difficult even to conceive how it was physically possible, in the absence of the modern means and facilities of communication, to control a continent from one centre

The empires of ancient India were possible owing to the previous development of local administration, reducing the physical difficulties of governing a vast area.

in an isolated corner of India such as that at Pāṭaliputra when the news of a disturbance beyond the north-western frontier in Central Asia or Arachosia would probably take six months' time to reach the headquarters of government. And yet the growth of such an imperial authority is attested by sober history. It is not sufficiently recognized that India in the olden times was not a land of jungles and wastes, but a land of abundant agriculture, brisk trade, numerous arts and crafts, convenient roads and trade-routes with wells and rest-houses, shade-giving groves and fruit-bearing trees at regular intervals, and prosperous cities. The Greek writers on Alexander's campaigns speak of 2,000 regular towns in the Panjāb alone. But these material factors, though they go a great way, do not by themselves exhaust or constitute that assemblage of conditions which make the governance of empires of such colossal dimensions at all feasible. The fact is that for an adequate explanation of this puzzling phenomenon we have to look beyond the material and the objective, the physical and the natural, to the subjective and the spiritual aspects of the situation. Man's inventiveness is meant to triumph over the difficulties of his natural environment. And so the natural difficulties in the way of the Mauryan empire were solved by human statesmanship, by the application or evolution of a system of adminis-

tration giving effect to an extensive decentralization and utmost latitude to the operations of local government, so that numerous autonomous centres were at work to cope with the administrative requirements of an extensive territory. This appropriate administrative machinery was not, however, be it understood, so much the creation of the new empire-builders—and Aśoka at least is very careful in distinguishing his *innovations* from his *inheritances*[1]—as a legacy and a heritage handed down to them from older days. They found an administrative machinery, fairly adequate to its purposes, already in existence and operation, that had stood the test of centuries, the strain of political revolutions, ministering to the normal needs of national life in the deeper strata of society, unaffected by the political currents that disturb the upper strata, or the changes in ruling dynasties, and all the while conserving the vital elements in the culture of the race. It was such a machinery that made the way smooth for the emperors whose task was only to fight their way to the throne, win battles, maintain their power, and adapt the pre-existing administrative institutions to the requirements of the new times with their new problems. The most brilliant of the Indian emperors can be credited with but few administrative innovations. The fact of the matter is that, just as the aloofness of society from

[1] See Rock Edict III, VI, VIII, Kalinga R.E. II, P.E. IV, V, &c.

the state has been the main means of its self-preservation when the state is engulfed in political revolutions, and the independent development of local government has provided, like the shell of the tortoise, a haven of peace where the national culture can draw in for its own safety when political storms burst over the land—so also does this system serve to lighten considerably the burden of a new administration, with the result that the addition of mere territory does not materially add to its difficulties. The administration of the Mauryan empire was possible because it did not cherish the ambition of setting up a centralized government consciously legislating for, and controlling the life of, every part of that vast whole, but aimed only at an elastic system of federalism or confederation in which were incorporated, along with the central government at the metropolis, as parts of the same system, the indigenous local administrations. The essence of this imperial system was thus a recognition of local autonomy at the expense of the authority of the central government, which was physically unfit to assert itself except by its enforced affiliation to the pre-existing system of local government.[1]

[1] The absence of proper physical facilities, factors, or conditions is perhaps one of the reasons why empires in ancient India have been so few and short-lived. The following observations of J. S. Mill (*Representative Government*, p. 4) are very interesting and appropriate on the point: 'In the ancient world, though there might be, and

In the same way, the existence of a system of social self-government in practical independence of the ruling powers and unaffected by the vicissitudes of fortune to which they are naturally exposed will account for the somewhat remarkable fact that, even during the period of so much unrest and unsettlement under the Muhammadan rulers, Hindu India was able to show a good record of material, mental, and moral progress. Hindu India was able to live her usual life, to continue the course of her normal intellectual and spiritual progress, in her own socio-economic system in which the Muhammadan had no place. The alien kings took possession of the political capital, but they had to live in the mere suburbs of the real metropolis of India. In this sense the so-called Muhammadan period of Indian

The aloofness

often was, great individual or local independence, there could be nothing like a regulated popular government, beyond the bounds of a single city-community; because there did not exist the physical conditions for the formation and propagation of a public opinion, except among those who could be brought together to discuss public matters in the same *agora*. . . . There have been states of society in which even a monarchy of any great territorial extent could not subsist, but unavoidably broke up into petty principalities, either mutually independent, or held together by a loose tie like the feudal; because the machinery of authority was not perfect enough to carry orders into effect at a great distance from the person of the ruler. He depended mainly upon voluntary fidelity for the obedience even of his army, nor did there exist the means of making the people pay an amount of taxes sufficient for keeping up the force necessary to compel obedience throughout a large territory.'

of society from state also served to preserve and promote Hindu culture despite Muhammadan invasions.

history may be regarded as rather wrongly named, because it continued to be a period of the usual Hindu activity, the normal course of which was hardly interrupted by the political changes of the times, which were nothing new to Indian history. The culture of the race kept up its uninterrupted flow, as is evident from the many intellectual and religious movements, and the appearance of many great men in the realms of both thought and action which characterize the period.

Evidence of that culture in different parts of India in the pre-Mogul

In the eighth century we have the great Brahman preacher and reformer Kumārila, who recalled the people to the simpler Vedic religious rites and ceremonies in the midst of the confusion and corruptions of numerous sects. The ninth century is famous for another gift from South India, Śaṅkarācārya, the profound Sanskrit scholar and writer, an eloquent preacher and a great religious reformer and organizer, who travelled throughout India in pursuit of his spiritual *digvijaya*, and imparted to Hinduism that broad philosophical basis and certain new elements which helped it to establish itself once again as the dominant and popular religion of India. The ascendancy of the Rājputs then followed in the later centuries, which meant an accession of strength to Hinduism, as is evident from the multiplicity of sects and the sectarian controversies of the times, producing a crop of religious and philosophical literary works

composed generally in Sanskrit, of which the most numerous were those written by the Śaiva worshippers of Kashmīr. The intellectual history of those centuries is represented by such famous names as Bhavabhūti, a member of the court, first of Yaśovarman of Kanauj and afterwards of Lalitāditya (A. D. 730); Māgha; Padmagupta (A. D. 950); Srī-Harṣa, the author of the *Naiṣadha* (A. D. 1150), and courtier of Jayacandra of Kanauj; Bhaṭṭa Nārāyaṇa (A. D. 850) of the Pāla court of Bihar; Rājaśekhara (A. D. 900) of the court of Kanauj; Jayadeva (A. D. 1100), and the Kashmīrian poets Somadeva, Kṣemendra, and Bilhaṇa of the twelfth century; and the chronicler Kalhaṇa, author of the *Rājataraṅgiṇī*. In the twelfth century Southern India witnessed the great Liṅgāyat revival under Basava, and the Vaiṣṇavite revival under Rāmānuja, followed by the great Brāhmaṇa teacher of the Kanarese country, Madhva Pūrṇaprajña, who died towards the close of the same century. Later on, a fresh instance of Hindu vitality is found in the growth of the Vijayanagara empire, which was at once a centre of both political and literary life, as represented by the famous Sāyaṇācārya and his school. The same period also saw the birth (further south) of Vedāntadeśikācārya, the renowned Vaiṣṇavite scholar and poet. There was also a similar Vaiṣṇavite revival in Northern India

due to the appearance of Rāmānanda and of his disciple Kabīr, whom both Hindus and Muhammadans equally honoured. Bengal under her Muhammadan rulers was also showing phenomenal literary and religious activity round Vaiṣṇavism as its mainspring. She even won the heart of her alien ruler Nāsir Shāh (1282–1325), who ordered the first Bengali rendering of the *Mahābhārata*, and is immortalized by the poet Vidyāpati through his dedication to him of one of his poems. It was about this time that Kīrtivāsa was translating the *Rāmāyaṇa* into Bengali and Mālādhar Basu was employed by Husain Shāh to translate the *Bhāgavata Purāṇa*. The same period saw Vidyāpati Thākur singing the songs of Vaiṣṇavism in Bihar in the Maithili dialect; Caṇḍīdās singing in Bengal; and Mīrā Bāī in Mewār, until the spiritual soil and environment of the country were ripe for the birth of the two great religious leaders, each the founder of an independent sect of Vaiṣṇavism, viz. Vallabha Ācārya, who has still numerous followers in Central India, Bombay, and Gujarāt; and Śrī-Caitanya of Navadvīpa in Bengal (1485–1527), who was the cause of a profound intellectual and religious renaissance, the founder of a renovated Vaiṣṇavism. He deluged the country with floods of spiritual enthusiasm that produced a bountiful crop of saints and singers and a vast and varied devotional literature. Thus the

vitality of the national culture and civilization of the Hindus was still asserting itself while Tamerlane was harrying the political India under the Sultans of Delhi, and she was about to pass under Mogul monarchy. But Bengal was not merely active in poetry and religion, for Kullūka Bhaṭṭa was then writing his famous commentary on Manu and Jīmūtavāhana his great legal work *Dāyabhāga*, a task that was done for Bihar and the West in the eleventh century by Vijñāneśvara in his *Mitākṣarā*. It is indeed a remarkable fact that, under the adverse political conditions of the rule of the Sultans Hindu society evolved new means of self-protection against alien influence by means of rigorous domestic legislation as embodied in some of the most important *smṛti* compilations which were all produced during this period. Thus Mādhavācārya, Viśveśvara Bhaṭṭa, Caṇḍeśvara, Vācaspati Miśra, Pratāparudra, Raghunandana, and Kamalākara all flourished during this period and fixed Hindu social and domestic manners and customs in different parts of the country by their writings.

Under the Mogul Monarchy, as a literary historian of India so aptly remarks, 'Brahmanism remained with its undying vitality of intellectual life to continue its own course unmoved. The glorious reign of Akbar had seen an outbreak of native genius that, in its own lines, rivals that seen

in England in Elizabethan times',[1] for, besides the many minor men of letters, there appeared in the Indian literary firmament the two shining stars, Sūrdās and Tulsīdās, whose masterpieces, according to Sir G. Grierson, are not far behind the work of Spenser and Shakespeare.

and Mogul period.

The phase of thought and religious emotion which uttered itself in the rapturous poetry of Jayadeva received a continued expression through the great mystics of the Middle Ages, such as Vallabha, Mīrā Bāī, Vidyāpati, and the like, and the greater poets of Akbar's days, such as Kṛṣṇadās and the blind bard Sūrdās, while *Tulsi-krit-Rāmāyaṇa* constitutes in itself the Vedas, Upaniṣads, and Purāṇas of the unlettered millions of Hindustān, to whom it presents their sole norm of conduct. In the reign of Jahāngīr the religion taught by Tulsīdās was spread throughout Ajmer and Rajputana by the disciples of Dādū, a cotton cleaner of Ahmadābād, and founder of the Dādupanth sect.

The rise of the Sikh

Hindu India offers further evidence of her progress and capacity to bring forth great men. In 1469 was born Nānak, the founder of the religion of the Sikhs, and by the time of the fifth Guru, Arjuna (1581–1606), when the *Ādi Granth* formed the scriptures of the people, the Sikh faith had spread throughout the Jāt population of the Panjāb and roused the fears

[1] Frazer's *Literary History of India*, p. 364.

of the Mogul monarchs. Arjuna was arrested and died from torture, but the event only fired his sect. Guru Har Govind (1606–45) roused the Sikh disciples to arms against the murderers of his father and sent them forth to blackmail the local governors of the Emperor Shāh Jahān. The ninth Guru, Teg Bahādur (1664–75) was cruelly tortured along with some Brāhmans at Delhi, which only led to the national determination of the Sikhs to wage a religious war against Islam in India, to overthrow the Moslem political power and found a new empire on its ruins. The first step taken by the tenth Guru, Govind Singh (1666–1708), was to summon the aid of the Brāhmans of Benares, propitiate the goddess Durgā, to whom six disciples offered themselves as sacrifices, and initiate himself and all his followers as members of the Khālsā or 'special property of the Guru'. Thus Sikhism and the Sikh power were most remarkable examples of the continued vitality and fertility of the motherland even under the depressing conditions of an alien domination.

Lastly, we have one more conspicuous example of the same facts in the growth of the Marāthā power for which the short-sighted bigotry of Aurangzeb was responsible. Indeed, it would appear that when the tyranny of Moslem rule was at its worst the life of Hindu India, far from being choked by the political powers, was asserting itself best and evolving out of its

and Marāthā powers points to the political vitality of the Hindus.

prolific vitality new means of meeting the oppression. Aurangzeb's cold contempt for Śivājī, 'the mountain rat', made it possible for that chief to weld the Marāthā peasantry into a powerful soldiery whom a religious fanaticism and hatred of Islam developed into a power capable of exacting a tribute of one-fourth of all the revenue up to the limits of the English factory at Surat, away to the Marāthā ditch dug round Calcutta as a defence against their raids. It is, however, to be borne in mind that this Hindu political power had, like most things Hindu, a religious origin and mission. The Guru of Śivājī was Rāmadās, the Brāhman, at whose feet he offered all his wealth and kingdom, which he consented to receive back only as a gift of his Guru, whose servant he always deemed himself; and accordingly the Marāthā national flag was the red-ochre-coloured cloth worn by Sannyāsins. The other great spiritual leader of the movement was the Śūdra poet, Tukārām, whose asceticism and constant preaching and singing roused the slumbering spirit of the Marāthā nation, and gave them a faith to live for and die for, the faith in Śrī-Kṛṣṇa as the only way to salvation. As Frazer has justly remarked, 'The potential force of such a religious impulse is too often lost sight of by those who judge Indian life from a Western standpoint.'

The above broad and brief survey of the intel-

Thus in social self government Hindu culture found the means of its self-preservation and self-expression.

lectual and spiritual progress and achievements of Hindu India, even under the adverse conditions of an aggressively alien rule, will, I hope, serve to establish the fact that these were ultimately due to a system of organization which had an independent existence and life of its own and was impenetrable to the foreign political powers who were unable to touch it for good or evil. The culture of the race was conserved and promoted through the indigenous machinery of appropriate institutions handed down from time immemorial, which embraced the manifold spheres of national life, economic and educational, social and religious. Thus the genius of the race was never in danger of being choked and stifled, for it was never in want of the adequate means of its self-expression. Thus also have Hindu culture and civilization been enabled to persist through the ages in spite of adverse political conditions, endowed with a singular capacity to survive the effects of alien rule and overcome the influence of political environment in general to which so many cultures and civilizations have succumbed in human history. Thus has Hindu India, fortified in the peculiar institutions she has evolved, been enabled to combat successfully the otherwise irresistible influences of the state or political sovereignty, irrespective of the nationality or personnel of such sovereignty for the time being.

§ 2

Practical interest of the subject.

The subject of Local Self-Government in ancient India, besides its historical interest, is also possessed of an eminently practical interest. There are at present in India two contending schools of political thought proposing two different principles of administrative reform. One of these seeks to introduce self-government 'from above' and the other 'from below'. The truth perhaps lies in a duly combined application of both the principles, but, whatever may be the truth of the matter, it may, perhaps, be pertinent to point out that no form of provincial or central government which is organized merely 'from above', however mechanically and ideally perfect, can be a living and healthy growth unless it can draw its sustenance from the congenial subsoil of a people's political instincts, habits, and traditions as expressed in the indigenous local bodies, the natural foundations of *all* government. Political reconstruction must recognize its limiting conditions. The local bodies are the outcome of natural groupings and associations which should be cherished and given a fuller scope in any scheme of genuinely national self-government. After all, it is the efficiency of the local institutions which matters most to the major part of the people, and, if self-government is the road to that efficiency, it should certainly be applied

Indian administrative reforms 'from above' and 'from below'.

Local bodies the foundation of all government.

first to a sphere which directly touches the daily interests of popular life and its real welfare. It is, indeed, a mistaken judgement that seeks to associate self-government in India exclusively with that part of government which concerns India as a whole, for a people cannot be deemed to be essentially self-governing and enjoying the blessings of free institutions if they are without the right of administering themselves their local affairs and interests, on which their daily well-being depends. Besides, local government is itself the best school of political training for the masses living in the villages who cannot take part in the provincial or the central government except through their few representatives, and it is also to be cherished as a school of social service and a most efficient factor of social progress. Viewed in this light, the study of the ancient Indian local institutions will be interesting both to the government and to the people. The government, which has already committed itself in several resolutions and minutes to the task of developing local government on the indigenous basis as far as possible, will find from such study materials and the lines on which the reconstruction should proceed. To the people it will bring a new inspiration, a fresh stimulus to national self-respect that will look back with pride upon the record of institutions which gave them at once the blessings of self-rule and

They deserve special study for the part they played in ancient Indian life.

a means of self-preservation amidst adverse political conditions.

Their development was due to the democratic instincts of ancient Indian society,

The sphere of local government also exhibits a noteworthy democratic development in ancient India. A study of the institutions reflecting that development will throw considerable clear light not only on our early economic history, now shrouded in obscurity, but also on some of the basal factors of ancient Hindu culture and civilization. Respect for tradition and authority and a blind faith, rather than discriminating judgement, are generally supposed to be the primary formative factors of early Hindu society, despite the many manifestations of the democratic principle in such characteristically Hindu institutions as the joint family, the communal holding of land in the typical village community, and the like, as well as in the numerous self-governing, 'kingless' states in ancient India, the existence of which is attested by sober history.

wherein was held in solution a good deal of socialism and communism,

restraining the excesses of individualism

It is too often forgotten that a great deal of socialism and communism (representing advanced democratic ideals of the modern age) is held in solution in the Indian social system. It finds appropriate expression through various institutions which all imply strong collectivistic or communistic sense and intuitions in the people, combined with a due restraint of that aggressive individualism and keen proprietary instinct which, under the influence of the

Roman Jurisprudence, emphasizing private property and the sacredness of creditors' rights over those of debtors, have given, in the opinion of the most thoughtful sociologists and political philosophers, a somewhat wrong direction to the development of nations and states in Europe.

which menace Western civilization.

Thus these local institutions have a place all their own in the life of a people which the process of political integration can never affect. The continuity of such institutions—which, as will appear, are yet in a sense functioning in different parts of the country as regards local justice, the organization of rural service, the employment of communal labour, the care of the village common and burial-ground, of the school and shrine, of tanks and irrigation channels, of feeding-houses and hospitals, and the like—is a matter of special concern to India with her particular need of the kind of 'social tissues' they develop. It is also necessary to preserve a type of communalist experiments in politics which, though specially Indian, have yet their uses and lessons for the state-constructions of the future.

§ 3.

These institutions are not survivals

It may perhaps be objected that the so-called democratic institutions, such as the village communities of ancient and mediaeval India, are merely

of tribal communism, but represent a distinctive type.

survivals or continuations of tribal communism developing by mere aggregations and worked into compound forms. To make this objection is to mistake the fundamental tendencies reflected in the history of the evolution of tribal communities. That history shows that such communities may be either of the following types:

(*a*) As assemblies of elders, heads of families, &c., meeting on more or less equal terms to regulate common life.

(*b*) As constituted into central units under a single well-defined authority, generally an absolute head, such as the tribal head, patriarch, &c.

The first type is characteristic of the so-called Aryan peoples and follows a line of evolution which in Europe developed into the democratic city-states, with further differentiation of functions, and the control of particularist tendencies by the development of central organs and by means of segregation, geographical as well as cultural; while in India the type culminated in the democratic institutions for the expression of corporate life, rural and urban.

The second type, characteristic of the so-called Semitic peoples, developed into the great ancient monarchies of the East, such as the Egyptian, the Assyrian, and the Babylonian, by a mere re-duplication of similar parts. It may also be noted in this connexion that the Saracenic culture exhibits a crucial

phenomenon in socio-political history, because there democracy has developed out of the absolutist institutions of the second type under the equalizing and levelling influences of Islamic religion.

Finally, it should also be understood that the Indian development of the local bodies really and fundamentally represents a distinctive type which must not be confounded with the rudiments of tribal self-government, invariably characteristic of primitive societies. The Indian institutions have developed differentiated structures and functions of their own, while the characteristic tendency of all tribal institutions (in the intermediate folk-stage) is to resolve into the original mass out of which they arise. Hence the co ncils of chieftains and elders in tribal communities, which are the repositories of tribal customs, derive their authority direct from the primary bodies which are represented *per capita* only and not by classes as in the Indian assemblies and unions.

We should therefore guard ourselves against these preliminary prejudices, objections, and misconceptions to which we are liable in studying the ancient local institutions of India by a reference to the history of tribal evolution and the fundamental distinction exhibited therein in the types of tribal culture-systems and institutions.

CHAPTER I

PRELIMINARY CONSIDERATIONS

Difficulties of dealing with the evidence.

THE sources of this study are twofold, viz. Literary and Epigraphic. In dealing with the literary evidence the following three possible orders suggest themselves, viz. (1) the order of chronology, (2) the order of organic development as traced in the historic course of origin and evolution, and (3) a logical order of ideal sequences and connexions. Inasmuch as the chronological order of early Indian culture-history has not yet been definitely fixed and ascertained, the first named has to be supplemented or modified by references to the other two orders. In the light of these considerations a method has been followed in the present inquiry which gathers together the available evidence on a particular topic and arranges it in the chronological order, seeking at the same time to trace the line of development and differentiation in successive stages.

Uncertainty of chronology.

Combination of functions.

There is another preliminary consideration which has to be observed in dealing with the evidence.

In treating the passages from literary works, and especially our law-books, as also those from the inscriptions, it is to be understood that the institutions to which they refer will be found to have exercised three classes of functions, viz. (*a*) industrial and commercial, (*b*) administrative, and (*c*) social or customary, including civic, educational, and religious. Each of these functions was exercised in accordance with definite rules and usages, some of them unwritten, others embodied in written agreements or charters as between the state and the assembly, or between the assembly and its members. The laws of associations, to which we shall refer later on, should therefore be understood to have a general scope and applicability, as comprehending the totality of these interests. A variety of terms has also to be used in correspondence with the variety of the institutions and of the functions they performed. Those terms, though necessarily general and almost abstract in their character, do not imply any looseness of social structure or function in relation to these institutions, but, on the contrary, indicate an organic inter-adaptation of social life and interests as well as a variety and flexibility characteristic of periods of exuberant growth.

Of the three broad classes of functions distinguished above with reference to the local institutions, we shall first deal with the industrial and commercial.

To the institutions representing these functions we shall apply the convenient term *guilds*, including trade-guilds, merchant-guilds, and craft-guilds, as the case may be, in view of the affinity in functions of these Indian institutions to their western counterparts.[1]

Variety of terms and interpretations.

Before going into the evidence we are confronted by another difficulty, which it is best to discuss and deal with at the outset. We find that Sanskrit literature uses a large number of terms with reference to these indigenous local bodies possessing various characters and functions. The communal life of ancient India, indeed, sought to express itself through a variety of institutions, civic and municipal, industrial and commercial, political nd religious, and the evidence very often treats together all these diverse types of corporate life, thus making it difficult for the investigator to separate one from the other. There is, again, another difficulty to the inquirer, arising from a marked divergence of

[1] It is not, however, clear from our texts whether the same assembly exercised these various functions, or whether there were differently constituted and composed bodies for these different interests and works. There are, it will be seen, traces in the evidence furnished by the copper-plate inscriptions and grants, especially in southern India in the ninth and tenth centuries, of an elaborate and distin t machinery, popular in origin, though recognized and controlled by the state, having gradually appeared in the midst of the village communities themselves for the discharge of these various responsibilities of communal life.

opinion among the authoritative commentators as to the proper scope and meaning of the various terms employed in the original texts to indicate these popular local bodies. The following, for example, are the terms we generally come across in our literature, viz. *kula*, *gaṇa*, *jāti*, *pūga*, *vrāta*, *śreṇī*, *saṅgha*, *naigama*, *samūha*, *sambhūya-samutthāna*, *pariṣat*, *caraṇa*. Most of these terms occur in the legal literature, which is characterized by the definiteness and precision of its phraseology and language, and yet the commentators very often differ in their interpretation of the same.

Examples *śreṇī*.

Thus, to take a few examples, the term *śreṇī* in Manu, VIII. 41,[1] is explained by Medhātithi[2] as 'guilds of merchants, artisans, bankers, Brāhmans learned in the four Vedas', &c.; by Govindarāja, as 'guilds of merchants and *husbandmen*'; and by Nandana, as 'guilds of merchants and actors'.[3] The term *śreṇi* in Nārada, I. 7[4] has been defined by one commentator as an assemblage of eminent *merchants* and by others as a company of *artisans*. The *Kauṭilīya* uses the word *śreṇī* in II. iv[5] in the sense

[1] जातिजानपदान्धर्मान् श्रेणीधर्मांश्च धर्मवित्।
समीक्ष्य कुलधर्मांश्च स्वधर्मं प्रतिपादयेत्॥

[2] एककार्यापन्ना वणिक्कारुकुसीदचातुर्विद्यादयः।

[3] वणिक्कुशीलवादि।

[4] कुलानि श्रेणयश्चैव गणाश्चाधिकृतो नृपः।

[5] वास्तुच्छिद्रानुशालेषु श्रेणीप्रवहणनिकाया वासयेयुः।

of guilds of workmen, but in VII. xvi[1] the word has a political reference, meaning a military clan; and in XI. i.[2] the term is applied to corporations that subsist by agriculture, trade, and military service, such as the Kāmbojas, Surāṣṭras, and Kṣatriyas. The *Smṛti-Candrikā* applies the term to the eighteen low castes and crafts like those of the washerman, leather-manufacturer, actor, basket and mat maker, fisherman, weaver, &c. (For the complete list see p. 65, Mysore Edition.) The *Mahābhārata* uses the word in the sense of a guild of merchants (iii. 248, 16[3]). Similarly, as regards the term *kula*, one commentator on Nārada, I. 7, takes it to mean an assemblage consisting of a few persons, and others as only a family meeting. The word in Yajñavalkya, II. 31[4] is explained by the *Mitākṣarā*[5] to mean an assemblage of kinsmen, relations, and friends. The same term is used in the *Kauṭilīya* (I. xvii) in the sense of a council of regency or oligarchy, the rule of which is preferable to that of an incompetent king.[6] More

Kula

[1] जितामित्रया श्रेणीबलं ।

[2] काम्बोजसुराष्ट्रक्षत्रियश्रेण्यादयो वार्त्ताशस्त्रोपजीविनः ।

[3] ब्राह्मणाः श्रेणिमुख्याश्च तथोदासीनवृत्तयः ।
किं मां वक्ष्यन्ति किं चापि प्रतिवक्ष्यामि तानहम् ॥

[4] नृपेणाधिकृताः पूगाः श्रेणयोऽथ कुलानि च ।

[5] कुलानि ज्ञातिसम्बन्धिबन्धूनां समूहः ।

[6] न चैकपुत्रमविनीतं राज्ये स्थापयेत् ।
. . . . . .
कुलस्य वा भवेद्राज्यं कुलसङ्घो हि दुर्जयः
अराजव्यसनाबाधः शश्वदावसति क्षितिम् ॥

various are the uses and interpretations of the term *gaṇa*, which in Manu, III. 164[1], is explained as meaning peoples or guilds. Govindarāja and Kullūka, commenting on the term in IV. 209,[2] mention as examples a fraternity of Brāhmanas inhabiting a monastery. The word in Nārada, I. 7, is explained by one commentator to mean a fellowship such as the Brāhmaṇa caste, and by others as an assembly of co-inhabitants, while the same word in X. 2[3] is explained, on the authority of Kātyāyana, to signify an assemblage of families. The *Mahābhārata* uses the term with reference to a political, self-governing corporation, which is also the sense of the word in such expressions as *Yaudheya-gaṇasya*, occurring on the coins of the military clan of the Yaudheyas, and *Mālava-gaṇa-sthiti*, occurring in the Mandasor inscription of Kumāragupta. The *Vivādaratnākara* (see Naigamādisaṃjñā) takes the term in the sense of an association of Brāhmans alone, the *Smṛti-Candrikā* (p. 40) in the sense of a confederation of Kulas, while the *Vyavahāramayūkha* takes it as a composite confederation of all other associations. Nārada introduces in X. 2 a new term *pūga*, which

Gaṇa.

Pūga.

[1] गणानां चैव याजकः ।

[2] गणान्नं गणिकान्नं च विदुषा च जुगुप्सितम् ।

[3] पाषण्डिनैगमश्रेणीपूगव्रातगणादिषु । According to the *Vyavahāramayūkha* the term *gaṇa* denotes the composite assembly in which are federated together all the other associations mentioned in this passage; see below, p. 129, n.

the *Vīramitrodaya* has interpreted in three senses, viz. (*a*) companies of traders and others, (*b*) associations of persons differing in caste whose mode of subsistence is not fixed, and (*c*) riders on elephants, horses, &c. Yājñavalkya (II. 31) has also used the term, and the *Mitākṣarā*[1] explains it as the assembly of the co-inhabitants of a village or town of different castes and occupations, as distinguished from the *śreṇī*, which is the more limited assembly of persons belonging to a common craft or occupation, whether they be of the same or different castes. The *Vivādaratnākara* explains it as a 'guild of merchants and others'. Some of these terms have been in use from times much earlier than those of our legal literature. We find them used by Pāṇini, and their explanations by the *Kāśikā* are interesting. Pāṇini uses the terms *pūga*, *gaṇa*, and *saṅgha* in V. 2, 52, *pūga* in V. 3, 112, *vrāta* in V. 3, 113, and *saṅgha* in III. 3, 42. 86 and V. 3, 114. Pāṇini, according to the *Kāśikā*, uses *saṅgha* in the generic sense. It may be of various kinds according to the various objects of the association. It is defined as a union of individuals pursuing common aims and interests (*ekadharma*, *Kāśikā*), and not a mere chance collection or a confused medley of individuals (III. 3, 42. 86.). Thus the *pūga* is a special kind of *saṅgha*, an association of men of

Use of the terms by Pāṇini.

[1] पूगाः समूहाः भिन्नजातीनां भिन्नवृत्तीनामेकस्थानवासिनां यथा ग्रामनगरादयः ।

various castes who, having no fixed occupation or means of livelihood, unite in the pursuit of wealth and pleasure as their main aim [1]; the *vrāta* again is an association of men of different castes having no definite means of subsistence, and living by bodily labour or violence,[2] like the *Kāpotapākya* or wild community making its living by pigeon-hunting, &c. Pāṇini also uses the word *śreṇi* in II. 1, 59, which has been explained by both *Kaiyaṭa* and the *Tattvabodhinī* as an assembly of persons following a common craft or trading in a common commodity.[3] Lastly, Pāṇini mentions another kind of *saṅghas* that live by the profession of arms of which he gives some examples, e.g. the *Yaudheyas*, &c. Of such corporations, the *Kāśikā* names more than sixty examples [4] as being included under the rules of Pāṇini (V. 3, 114–117).

[1] नानाजातीया अनियतवृत्तयोऽर्थकामप्रधानाः संघाः पूगाः ।

[2] नानाजातीया अनियतवृत्तय उत्सेधजीविनः संघा व्राताः ।

[3] एकेन शिल्पेन पण्येन वा ये जीवन्ति तेषां समूहः श्रेणिः ।

[4] The *Kāśikā* mentions as examples of *pūgas* (1) *Lauhadhvajya*, i.e. those that have as their emblem something that is made of copper, the red metal; the *Tattvabodhinī* reads *lauhitadhvajya*, to signify a body of persons having a red flag as their emblem; (2) *Śaibya*, perhaps the 'Siboi', the wild tribe with a republican constitution subdued by Alexander; (3) *Cātakya*; (4) *Devadattaka*, the tribe led by Devadatta; as examples of *vrāta*, besides (1) *Kāpotapākya*, we have (2) *Vraihimatya*, a non-Brahmanical people (*St. Petersburg Dict.*); (3) *Kauñjāyanya*, perhaps the kingless tribe of *Ārjunāyanas* (see V. A. Smith's *Early History of India*, third ed., p. 286); and (4) *Brādhnāyanya*.

The *Kauṭilīya* confines the sense of the term *saṅgha* to that of a political corporation (XI. i).[1]

The agreement of the interpretations.

On a closer and critical consideration of these various terms, their usages and interpretations, it will be found that the variety is not without underlying unity, and that the complexity of annotations is reducible to a comprehensible simplicity. Thus, the majority of the authorities, e.g. Manu, Nārada, Kauṭilya, the *Mahābhārata*, and the like, agree in having employed the term *śreṇī* to mean *guild*, whether it be the guild of artisans, agriculturists, or merchants, i. e. the craft-guild, trade- or merchant-guild; while a similar sense has been fixed for the term *pūga* by authorities like the *Kāśikā*, the *Mitākṣarā*, and the *Vīramitrodaya*. The other two terms, *saṅgha* and *gaṇa*, apparently were used by the earlier authorities like Pāṇini, Kauṭilya, and the *Mahābhārata* in a political signification to mean

[1] **संघवृत्तम्।** In the Jaina literature, e.g. *Kalpasūtra*, the terms *gaṇa*, *kula*, and *śākhā* are used in distinct senses. *Gaṇa* designates the school derived from one teacher; *kula*, the succession of teachers in one line; *śākhā*, the lines which branch off from one teacher. The Jaina inscriptions of Mathurā assigned to the age of Kaniṣka (*Ep. Ind.*, vols. I and II) constantly use the terms *gaṇa*, *kula*, *śākhā*, and sometimes *sambhoga* (Lüders's List, no. 27), e.g. the *Kottiya* (*Kauṭṭika*) *gaṇa*, the *Ṭhāniya* (*sthānīya*) *kula*, the *Śrigṛha sambhoga*, the *Āryyaverī* (*ārya-vajrī*) *śākhā*. In the *Vinaya*, vol. IV, p. 226, there is mention of *saṅgha*, *gaṇa*, *pūga*, and *seṇī*. The terms occur in other places too, e.g. *Cullavagga* (V. 5, 2; VIII. 4) where it is the turn of a *pūga* to feed the *saṅgha*.

autonomous, *kingless* clans or corporations as distinguished from *kingships*.

The variety a proof of reality.

The existence of these various terms is in itself strong evidence demonstrating the reality of the institutions designated. We shall now go into the details of that evidence scattered throughout our literature, and shall try to piece them together so as to trace the continuity of the life and history of these ancient local institutions and unfold the process of their evolution through the ages. As has been already stated, we shall first of all deal with the development of self-government in the sphere of industrial and commercial interests, and shall accordingly trace the history and evolution of what may be called the ancient Hindu guilds.

CHAPTER II

INDICATIONS IN EARLY LITERATURE

References to guilds in Vedic literature.

ACCORDING to orthodox Hindu tradition and opinion, the origins of Hindu culture and civilization in all respects and particulars, aspects and phases, strata and stages, are to be found foreshadowed and imbedded in the Vedas. To these eternal and original documents can be traced the roots of all our subsequent history and development. Whatever may be the intrinsic worth and merits of this theory, it seems to be true at least in respect of the history of Hindu guilds. Even foreign scholars such as Geldner, Roth, &c., for instance, find references to them in the Vedic literature. There is no doubt a difference of opinion among Vedic scholars as to the exact significance of these references, and, considered by themselves merely as literary passages, they may seem to be doubtful indications of a formal and well-defined institution. But if we combine with the *literary* evidence the evidence of *history*, the evidence furnished by the

How far justified by

evolution of Aryan life, the spread of Aryan coloniza-

tion, the propagation of Aryan culture and civilization in India from the Vedic period downwards, much of the uncertainty of the purely literary evidence will disappear. The fact of the matter is that Vedic society was sufficiently settled to admit of an elaborate differentiation of functions and occupations among the people, and already presented an economic environment favourable to the growth of industrial and commercial combinations in the community, leading to the formation of specialized institutions like the guilds. These were perhaps natural and necessary growths out of the conditions and requirements of the economic life of the age with its many-sided development. It is admitted on all hands that Vedic society at a comparatively early period divided itself into three fundamental orders, estates, or castes, viz.: (1) the ruling caste or the warrior-caste, comprising the king and his entourage, his great lords and vassals, the knights of the army; (2) the priestly caste, distinguished in learning and religion, which, though not directly wielding any political or martial power, was possessed of supreme influence in the state as regulating the king's will—an influence which rested solely on its high character and spirituality; (3) the people-caste with its Aryan blood and eligibility for all Aryan privileges in the matter of legal rights, religious rites, and educ tional opportunities. These three were the twice-born classes,

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but to them was added a fourth, the un-Aryan, merely 'once-born', deprived of good birth, devoid of spiritual or legal privileges, of the rights of property, comprising the remnant of a displaced native population, the degraded branches or illegitimate descendants of the pure castes, and also foreigners, so as to constitute a mixed class of out-castes, pursuing means of livelihood not sanctioned for the pure. All these castes or classes were, from the political point of view, well-organized units with defined status and occupations, except the people-caste where we have an internal classification in three well-organized bodies, socially and economically apart from one another. Historically, these three sub-castes were (1) the great body of ranchmen the cattle-raising population, with their dependants, the herdsmen and cow-boys; (2) the agriculturists or farmers who raised grain, and their supplementary associates who raised fruit and vegetables; and (3) the entire trading population, whether by land or by sea, maintaining active intercourse with foreign merchants. As Kauṭilya[1] puts it, the three legitimate occupations which the Vaiśya should follow to earn a living are Kṛṣi, Pāśupālya, and Vaṇijyā, i. e. Agriculture, Cattle-raising, and Trade. Subsidiary occupations developed in connexion with these,

[1] वैश्यस्याध्ययनं यजनं दानं कृषिपाशुपाल्ये वणिज्या च । [I. iii.]

such as money-lending which, despised at first, became afterwards a recognized occupation for the twice-born. There were also the mechanics, artisans, carpenters, pedlars and the like, and the line between legitimate and objectionable labour was very often crossed, as is proved by the frequent denunciations in our legal literature of those that did so, and also by the relaxation of the legal strictness in cases of distress due to failure of legitimate living.[1] There were thus in course of development three specialized sub-castes dividing the unity of the people-caste, each pursuing its particular interests to the exclusion of other interests, so that ultimately the traders as a class made themselves into a distinct body, apart from the classes to whom belonged the care of agriculture and cattle. Thus the due development of the commercial interests of the country was secured, leading to the establishment of guilds. The same thing happened also in the case of the artisan class or the Śūdras, who came to be regarded as legitimate members of the Aryan body-politic with their occupations defined. These were, in the words of Kauṭilya (a very early authority), 'Vārttā, Kārukuśilavakarma ca', i.e. agriculture, cattle-rearing, and trade, together with manufactures

[1] *Gautama*, VII. 6 and VII. 25; *Vasiṣṭha*, II. 22 and III. 24; *Manu*, VIII. 348 and X. 81; *Baudhāyana*, II. 2, 4, 16 and 18; *Viṣṇu*, II. 15.

and practice of such arts as acting and the like, thus showing that the line of demarcation separating the occupations of the Vaiśya from those of the lower caste was not very rigid.[1]

We thus see that guilds were but natural and necessary growths at a very early period of our history, due to the considerable progress which the country had achieved in arts, manufactures, and trade. They presuppose and imply in fact a development to which history testifies. And so when we consider the story of that development, the facts in the commercial and industrial life of Vedic India which can be gathered from the numerous references to trade and manufactures with which Vedic literature is replete—references which it is not the purpose of this monograph to bring together—we should not be surprised by the references to the guilds which some scholars find in the Vedas. The fact of the matter is that guilds or commercial associations must always wait on a certain degree of development to be attained by the particular com-

[1] The above account is on the lines of the lucid exposition of Hopkins in the *J. A. O. S.*, vol. XIII, pp. 72–81. I have not entered here into the vexed question, which is irrelevant to my present purpose, of the origin and development of these social classes and industrial groups, or how far they were rigidly differentiated from one another in functions and their spheres of interests. It is to be understood that the Vedic period comprises not merely that of the Saṃhitās, but also that of the Brāhmaṇas and Upaniṣads. The early Sūtra literature is not included.

mercial or industrial interests concerned ; guild-life in fact belongs to a considerably advanced stage of economic progress in which the individual mechanics, artisans, or traders have sufficient business instincts developed in them, and have achieved sufficient success in their several businesses to appreciate the necessity of organizing themselves into a community for the purpose of promoting their individual and collective interests. The growth of guilds thus means that the industrial units are sufficiently efficient to partake of a public life and regulate themselves by common rules as parts of a whole or a common organism. The extent to which the differentiation of economic functions or occupations was carried even in the Vedic period of our history will seem to point to the conclusion that those scholars who choose to find in certain passages from Vedic literature proofs of the existence of guilds cannot very well be considered as being guilty of making an extravagant claim and taking up an untenable position. The existence of such institutions is not quite out of relation to the economic progress of the period with its evolution and differentiation of numerous arts and crafts and of occupational castes jealously safeguarding their several interests as explained above.

The Vedic references.

Let us now proceed to the Vedic passages themselves. All of these contain the use of the words

śreṣṭhin and *śraiṣṭhya*, which from their contexts would appear to have respectively the sense of the 'headman of a guild' and 'the foremost place that belongs to such a headman, the presidency of a guild'.[1]

Thus the *Aitareya Brāhmaṇa* has three passages bearing on the subject. In III. 30, 3[2] there is a reference to the position of the chief of the guild (*śreṣṭhī*) who favours with a draught from his goblet

[1] '*Śreṣṭhin* occurs in several passages of the Brāhmaṇas where the St. Petersburg Dictionary assigns to the word the sense of "a man of consequence". It is, however, possible that the word may already have had the sense of the headman of a guild, the modern Seth. There is a similar doubt in the use of *śraiṣṭhya*, which is perhaps not merely "the foremost place" as usually assumed, but definitely "the presidency of a guild"'.—Macdonell and Keith, *Vedic Index*, vol. II, pp. 403–4.

[2] श्रेष्ठी पात्रे रोचयत्येव यं कामयते तम् ।

Sāyaṇa explains the passage thus:

> 'For that very reason (in this world) also a merchant prince, desirous of rendering acceptable a dependant of his to others refusing to own him, has nevertheless the power to enforce the grant to him of a worthy position by them, in spite of his disqualification due to violation of social rules.'

(श्रेष्ठी कश्चित् धनपतिः यं स्वकीयं भृत्यमितरैरनङ्गीकृतमपि सर्वेभ्यो रोचयितुं कामयते तं भृत्यमाचारहीनं पात्रे प्रतिग्रहयोग्यस्थाने बलात् सर्वेभ्यो रोचयत्येव)

Martin Haug translates the passages thus:

> 'Thus it comes that a chief favours with a draught from his goblet whom he likes.

Both these interpretations agree in ascribing to the chief much social power and influence, and the chief is considered by noted Vedic scholars to be the chief of a guild.

whom he likes. In IV. 25, 8–9 and again in VII. 18, 8[1] the position of leadership is indicated by the use of the words *śraiṣṭhya* and *śreṣṭhatā*. In the *Śatapatha Brāhmaṇa*, XIII. 7, 1, 1[2] the word *śraiṣṭhya* is similarly used to indicate lordship. In the *Atharva-veda*, I. 9, 3[3] there is the expression 'bestow on him lordship (*śraiṣṭhya*) over his fellows' and in X. 6, 31[4] the word *śraiṣṭhya* is again used in that sense. The terms *śreṣṭhin* and *śraiṣṭhya* are similarly used to denote the chief of the guild or the high position that belongs to him among his fellows in the *Chāndogya Upaniṣad*, V. 2, 6[5]; *Kauṣītaki Upaniṣad*, IV. 20, II. 6, and IV. 15. 20. In *Bṛhad. Up.* I. 4, 12, Śaṅkara reads a reference even to co-operative trading or industry. In all these references from the Vedic literature the manner of the allusion to the head of the guild, and his high social position and pre-eminent influence, seems to support the conclusion expressed by some Vedic scholars that the guild was then already a known and familiar institution, a commonplace phenomenon, an ordinary object of daily observation, to which, as to matters of every day

[1] धृत्यै श्रैष्ठ्याय गाथिनाः ।
[2] सर्वेषां भूतानां श्रैष्ठ्यं ।
[3] सजातानां श्रैष्ठ्य आ धेह्येनम् ।
[4] मणिः श्रैष्ठ्याय मूर्धतः ।
[5] श्रैष्ठ्यं राज्यमाधिपत्यं ।

experience, references are made in order to explain abstruse and abstract philosophical subjects, topics, or problems. Metaphorical and indirect allusions to guilds show that they are already well-known existences within the range of common observation, and the allusions are warranted on the logical principle of arguing from the known to the unknown, of explaining the unknown, the unfamiliar and the abstract in the terms of the known, the familiar, and the concrete.

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What tends to lend additional force to the aforesaid suggestion is that these Vedic passages are not solitary in the particular significance read into them. The same tradition is repeated, and, that in no uncertain terms, by the two Epics and even by some of the Pāli works. In the procession of citizens who accompanied Bharata in his quest of Rāma figured the gem-cutters, potters, weavers, armourers, ivory-workers, 'well-known goldsmiths', the foremost merchants and citizens of all classes, so that the *Rāmāyaṇa* recognizes the importance of the position held by the trades and crafts in society.[1] The *Mahāvaṃsa* also in the same way represents the heads of the five trades as being the chosen messengers entrusted with the dignified duty of carrying a welcome from Kitti Sirimegha to his son Parā-

[1] II. 83, 12. 13: ये च तथापरे सर्वे सम्मता ये च नैगमाः । &c.

krama, afterwards Parākrama Bāhu the Great. In Bāṇa's *Harṣacarita* we are told that in connexion with the preparations for the marriage of a princess were summoned from every country 'companies of skilled artists'. Similarly in the preparations described in the *Harivaṃśa* for the witnessing of the contest between Kṛṣṇa and Balarāma by the royal family and citizens of Mathurā, we are told of the pavilions of the different companies and corporations with banners representing the implements and emblems of the several crafts.[1] The *Mahābhārata* mentions a prince who, defeated in battle and ashamed to return home, exclaims: 'For what shall I have to say to my relatives, to the priests and to the heads of th guilds (गणमुख्याः)?' (III. 248, 16). But besides the social importance of the guilds and their chiefs the *Mahābhārata* sets forth their political importance to the state. Their power is to be appreciated by the king as much as that of his mercenary army (XV. 7, 7. 8). Their heads must be 'talked over' by spies when the king projects the conquest of another kingdom (XII. 59, 49; 141, 64). Their strength lies in union and their weakness in dissension (ibid. 107, 32). The king is especially charged not to tax them too heavily lest they become disaffected, and their disaffection is represented as

[1] स्वकर्मद्रव्ययुक्ताभिः पताकाभिर्निरन्तरम्।
श्रेणीनां च गणानां च मञ्चा भान्त्यचलोपमाः॥

a calamity (ibid. 13. 14). They may be controlled by the king by bribery and by fomenting discord. [See XII. 107 which deals with the *gaṇas* in detail.]

and Buddhist works.

The high social position of the *śreṣṭhin* as hinted at in the Vedic passages is very well brought out in some of the Pāli works. While Sanskrit literature mentions guilds of various characters, the Buddhist literature seems to bring into prominence one class of guilds in particular, viz. the merchant guilds. In the story of the Buddha's life an important period of the life is intimately associated with the great Śeṭh families of Benares and some neighbouring towns whose recognized social position and influence, when enlisted on behalf of the new faith contributed materially to its popularity and propagation in the early and critical stage of its career. Thus the *Cullavagga* (V. 8 and VI. 1, 4) mentions the *seṭṭhi* of Rājagaha; the *Mahāvagga* (I. 7, 1) mentions Yasa, the son of a *seṭṭhi* of Benares and (VIII. 1, 16, &c.) the *seṭṭhi* of Rājagaha. The *Mahāvaṃsa* mentions an office called *seṭṭhitā* to which the king was to appoint. *Jātaka*, I. 120–122, mentions an office of *seṭṭhi* (*seṭṭhi-ṭṭhāna*) in a city, which was conferred only on such as possessed the requisite wealth and talent. Anāthapiṇḍika, the merchant prince famous for his gift to the Buddha of the Jetavana park, is mentioned as the *seṭṭhi* standing alone or as the *mahā-seṭṭhi* in *Jāt.* I. 95. 231–232.

The position of the foreman of the guild is also indicated in *Jāt.* II. 12. 52[1] and III. 281[2] where he is an important minister in attendance upon the king. In *Jāt.* IV. 43[3] there is a reference to an office of judgeship of all the merchant guilds—an office which did not exist before, and to that office was appointed the king's treasurer. The heads of guilds (*seṇiyo*) are called *pamukha* (president) and also *jeṭṭhaka* (elder, alderman), the distinction between the two terms not being apparent. *Jāt.* II. 18 mentions the division in one of the large centres of wood-craft of the population of 1,000 families into two equal groups each under one *jeṭṭhaka*. Similarly the groups of mariners (*Jāt.* IV. 137),[4] garland-makers (*Jāt.* III. 405),[5] caravan-traders (*Jāt.* I. 368[6]; II. 295),[7] the moss-troopers numbering 500 of a 'little robber village' in the hills, e.g. near Uttarapañcāla (*Jāt.* I. 296.

[1] *Senipamukhā.*

[2] 'The principal smith of the thousand (*jeṭṭhaka*).'

[3] 'Then the king gave him the post of Treasurer, and with it went the judgeship of all the merchant guilds. Before that no such office existed.' [*Sabbaseṇīnaṃ vicāraṇārahaṃ bhaṇḍāgārikaṭṭhānaṃ.*]

[4] *Niyyāmakajeṭṭhako.*

[5] *Mālakārajeṭṭhakassa.*

[6] 'Once upon a time when Brahmadatta was reigning in Benares the Bodhisatta came to life as the leader of a caravan.'

[7] *Satthavāhajeṭṭhako* (merchant-leader, caravan-chief).

297[1]; II. 388[2]; IV. 430.[3] 433 Com.) and the forest police who escorted travellers (*Jāt.* II. 335[4]) were all organized under a *jeṭṭhaka*. Then there were the trade-guilds (*Jāt.* IV. 411), eighteen in number, whom the king summons to witness his progress or to accompany him (*Jāt.* VI. 22).[5] They included 'masons, blacksmiths, carpenters, painters, men skilled in all arts and crafts' (*Jāt.* VI. 427[6]; *Mil. Pañh.* I. 2).[7] Similarly the 'elder' of a village of 1,000 smiths in whom were combined the functions of the head man of the village,

[1] 'Now the border was harried by robbers from the mountains; and they made a raid one day on the village where the pair lived . . . the girl was taken to wife by the robber chieftain.'

[2] 'He gathered 500 robbers and became their chief, and lived by highway robbery.'

[3] 'Up wind from this hill was a robber village where 500 robbers dwelt.'

[4] ' . . . the Bodhisatta born . . . a forester took the lead of a band of 500 foresters . . . . He used to hire himself out to guide men through it . . . a merchant's son arrived with a caravan of 500 wagons . . . offered him 1,000 pieces to be his guide through the forest . . . in the midst of the forest up rose 500 robbers . . . the head forester alone put to flight all the 500 robbers.'

[5] 'The king . . . assembled the four castes, the eighteen guilds' . . .

[6] 'The Great Being . . . took with him eighteen companies of men, masons, blacksmiths, carpenters, painters, men skilled in all arts and crafts.'

[7] 'Guilds of traders in all sorts of finery display their goods in the bazaars that face all quarters of the sky', in the city of Sāgala, 'a great centre of trade', 'in the country of the Yonakas.' There is an interesting enumeration of various crafts and trades in *Mil. Pañh.* V. 4.

the village syndic, and president of the local guild, is described as 'a favourite of the king (of Benares) rich and of great substance' (*Jāt.* III. no. 387).[1] The Seṭṭhi or Jeṭṭhaka is thus associated with the king or the administration as the representative of the mercantile interests [he being always called Gahapati, householder (cf. *Mahāvagga*, VIII. 1, for instance)], while the office of the royal treasurer seems to have been specially reserved for him.

The prominence of merchants also proved by the early history of Buddhism.

It is thus clear from the above references that the merchant (*seṭṭhi*) attained at a very early time to a position of much social importance. This was chiefly due to his possession of great wealth derived from trade. Many of these merchants were like millionaires of modern times; we read of a merchant's son as leading a caravan of 500 wagons. They seem to have been the principal representatives of the householder (*gahapati*) class, the typical burghers of the great towns. Besides being private traders they are also mentioned as representatives of commerce holding an official position in the court. In the *Mahāvagga* (VIII. 1, 16. 17) 'the Seṭṭhi at Rājagaha, this householder' is recognized to be doing so much 'good service both to the king and to the merchants' guild' that, when after his suffering from a protracted illness for seven years, his case is

[1] Most of these references have been noticed by Mrs. Rhys Davids in her learned article in the *J. R. A. S.* for 1901.

pronounced as hopeless by the 'many very great and world-renowned physicians' who attended on him, the Magadha king, Bimbisāra, was prevailed upon by a merchant to depute his own physician-in-ordinary, Jīvaka, for his treatment which thus became a matter of communal concern. This particular Seṭṭhi was so rich that he paid 200,000 *kāhāpaṇas* as medical fees. It may perhaps be very reasonably assumed that the association of these merchant-princes with the Buddha acted as an effective adventitious aid in advertising the solitary and self-absorbed ascetic, until even the attentions of crowned heads and emperors, like Bimbisāra and Ajātaśatru of the Magadha throne, were drawn to that divine beggar. It was again their munificent financial support and endowment of Buddhism in its very early stages that probably paved the way for its popularity and propagation among the masses. The Buddha's conversion of the upper classes of society easily established his influence and made it felt among the lower classes or the masses.[1]

[1] It is this 'marked leaning to aristocracy in ancient Buddhism' which has led Hermann Oldenberg to remark that 'it seems as if the actual composition of the band which surrounded Buddha's person, and the composition of the early church especially was by no means in due keeping with the theory of equality' professed by Buddhism, which did not reserve to Brahmans only the right of entry into a spiritual life, but acknowledged the equal right of all persons without distinction to be received into the order. The Buddha himself describes the actual situation when in his first

sermon at Benares he speaks of the supreme religious enlightenment for the sake of which 'the sons of noble families (*kulaputtā*) leave their homes and go into homelessness', for here were 'young *Brahmans* like Sāriputta, Moggallāna, Kaccāna, *nobles* like Ānanda, Rāhula, Anuruddha, sons of the greatest *merchants* and highest municipal dignitaries, like Yasa, invariably men and youths of the most respectable classes of society, and with an education in keeping with their social status'. 'Prominent among the "adherents" stand also the two *royal friends* of Buddha, Bimbisāra, the ruler of Magadha, and Pasenadi, the ruler of Kosala, both approximately of the same age as Buddha, and throughout their lives true protectors of his church. Then comes Jīvaka, the renowned physician-in-ordinary to Bimbisāra, who was appointed by the king to undertake medical attendance, not on him and his women only, but also on Buddha and Buddha's order; next, the merchant Anāthapindika, who had presented to the order the garden of Jetavana, Buddha's favourite place of resort. In all important places which Buddha touched in the course of his wanderings he found bands of such lay-believers, who went out to meet him, arranged for assemblies in which Buddha spoke, who gave him and his companions their meals, who placed their residences and gardens at their disposal, or made them over to the order as church property. If he went wandering about with hundreds of his disciples, pious votaries were sure to accompany him on his journey with carts and waggons, and they brought necessaries of life, salt, and oil with them, for each in his turn to prepare the wanderer a meal, and crowds of needy folk followed in their train to snatch the remains of these provisions.' And not alone were *male* adherents in the circle of Buddha's followers. For we find the *women* of India zealously engaged as fellow-labourers through charity, assistance, and service, in those practical spheres which the young church opened up for religious usefulness. *The stupendous munificence which met the Buddhist order at every step proceeded in great measure, perhaps in the greatest measure, from women* of whom the typical representative was the honourable matron *Viśākhā*, a rich citizen commoner at Sāvatthi, who made the first liberal preparations on a large scale to provide for Buddha's disciples who came to Sāvatthi the chief necessaries of life. For this she thus spoke to Buddha to obtain

his permission: 'I desire as long as I live, sire, to give the brotherhood clothes for the rainy season, to give food to stranger monks who arrive here, to give food to monks who are passing through, to give food to sick brethren, to give food to the attendants on the sick, to give medicine to the sick, to distribute a daily dole of cooked rice, to give bathing-dresses to the sisterhood of nuns.' Pictures like this of Viśākhā, benefactresses of the church, with their inexhaustible religious zeal, and their not less inexhaustible resources of money, are certainly, if anything ever was, drawn from the life of India in those days: they cannot be left out of sight, if we desire to get an idea of the actors who made the oldest Buddhist community what it was. (Oldenberg, *Buddha*, pp. 155–69.)

Merchant princes did not lose their position in later times. The following account of some Mysore merchant princes will be interesting: 'Commerce on a large scale beyond the limits of the country was carried on by what may be styled merchant princes, who generally had the title *Mahā-Vadda-Byavahāri*. (Ml. 56, Sk. 247, Ak. 108). In the last is an account of a family of Maleyala merchants, experts in goods and onveyance. One of them was skilled in testing all manner of gems. "He was so liked both by the Hoysala emperor in the south and Ballaha himself in the north, that he was able to form an alliance between the two kings. The wants of the great Malava king, of the Kalinga, Chola and Pandya rulers, he at once supplied. No setti was equal to him throughout the Hoysala kingdom—just, honoured, of kind speech, full of common sense, delighting in truth". But some great merchants were of brahmin descent, such as those in Ak. 22. One of these imported horses, elephants, and pearls in ships by sea and sold them to the kings. Another transported goods from the east to the west, and those that were suitable from the west to the east; also products from the north to the south and of the south to the north.' (L. Rice, *Mysore and Coorg from inscriptions*, p. 182.)

CHAPTER III

ORGANIZATION

§ 1

We shall now deal with the evidence regarding the organization of the guilds, their scope, functions, and laws.

Organization of the Guilds.

Rules of Apprenticeship.

The efficiency of the organization will be apparent from the laws relating to apprenticeship. These are thus stated by Nārada:

Nārada.

'If (a young man) wishes to be initiated into the art of his own craft, with the sanction of his relations, he must go and live with a master,[1] the duration of his apprenticeship having been fixed.

The master shall teach him at his own house and feed him. He must not employ him in work of a different description,[2] and should treat him like a son.

[1] Cf. *Bṛhaspati*, XVI. 6: 'Arts (consisting of) work in gold, base metals and the like, and the art of dancing and the rest, are termed human knowledge; he who studies them should do work at his teacher's house.'

[2] Kātyāyana fixes a penalty for employing an apprentice in other work: 'He who does not instruct his scholar in the art, and causes him to perform other work shall incur the first amercement; and the pupil may forsake him and go to another teacher, released from this indenture.' (Colebrooke's *Digest of Hindu Law*, vol. II, p. 7).

If one forsakes a master, who instructs him and whose character is unexceptionable, he may be compelled by forcible means to remain (at the master's house), and he deserves corporal punishment[1] and confinement.

Though his course of instruction be completed, an apprentice must continue to reside at the house of his master till the fixed period has expired. The profit of whatever work he may be doing there belongs to his master.

When he has learnt the art of his craft[2] within the (stipulated) period, the apprentice shall reward his master as plentifully as he can, and return home, after having taken leave of him.

Or, a certain fee having been agreed upon after examining the skill of the pupil, the apprentice shall take (his fee) and shall not go to live in the house of another man.'[3]

[1] On this topic generally see *Manu*, IV. 164; VIII. 299–300: *Gautama*, II. 43–4. The apprentice may forsake his master either of his own motion (in which case he is liable to correction) or under instructions of his kinsmen who consented to his pupilage. In the latter case the deserted master can sue the pupil's guardians for a breach of contract (Colebrooke, op. cit., p. 8).

[2] This intimates that if the art could not be learned in the time first stipulated, there should be a formal extension of the apprenticeship (ibid.).

[3] स्वशिल्पमिच्छन्नाहर्तुं बान्धवानामनुज्ञया ।
आचार्यस्य वसेदन्ते कालं कृत्वा सुनिश्चितम् ॥
आचार्यः शिक्षयेदेनं स्वगृहे दत्तभोजनम् ।

The foregoing rules bring out several important and interesting features. In the first place, there was the system of indenture under which the apprentice and the master were bound to each other for a fixed period stated in the deed. As the *Vīramitrodaya* points out, the teacher must make an agreement in this form, 'Let this apprentice stay with me so and so long'. In the second place, the indenture emphasizes equally and fairly the obligations of both the master and the apprentice. As regards the obligations of the master, he had to adopt the apprentice as his

न चान्यत्कारयेत्कर्म पुत्रवच्चैनमाचरेत् ॥
शिक्षयन्तमदुष्टं य आचार्यं संपरित्यजेत् ।
बलाद्वासयितव्यः स्याद्वधबन्धौ च सोऽर्हति ॥
शिक्षितोऽपि कृतं कालमन्तेवासी समापयेत् ।
तत्र कर्म च यत्कुर्यादाचार्यस्यैव तत्फलम् ॥
गृहीतशिल्पः समये कृत्वाचार्यप्रदक्षिणाम् ।
शक्तितश्चानुमान्यैनमन्तेवासी निवर्तते ॥
वेतनं वा यदि कृतं ज्ञात्वा शिष्यस्य कौशलम् ।
अन्तेवासी समादद्यान्न चान्यस्य गृहे वसेत् ॥

[V. 16–21.]

The translation is based on that of Jolly in the *S. B. E.*, vol. XXXIII. In V. 18 the word *aduṣṭam* may be taken as an adverb modifying the verb *śikṣayantam*, in which case the translation will be: 'If one forsakes a teacher who instructs him honourably,' &c. In V. 20 *pradakṣiṇām* means circumambulation, which the apprentice is to perform as a mark of respect for the master. The meaning of V. 21, which is rather vague in Jolly's translation, seems to be: 'If, however, a salary be fixed befitting his skill, the pupil should accept it, and should not go to stay (i. e. accept appointment) in the house of another (craftsman).'

own son, and treat and feed him as such. He should teach him whole-heartedly and honestly. The master was competent to make him do the work strictly related to the craft he was learning, but was not competent to exploit his labour or skill by employing it for purposes unconnected with it. While making him work thus, he should not treat the apprentice like a hired labourer but like a son, with due tenderness and affection. Equally strict were the obligations under which the apprentice was bound to his master. If through the master's efficient training he attains proficiency in the craft before the expiry of the period stipulated for in the indenture, he was not competent to leave the master but had to serve out his full term, cheerfully yielding to him the fruits of his labour as the reward or compensation for the saving of time effected by the superior skill of the master in teaching. Yājñavalkya (II. 187)[1] states the same condition thus: 'Even if an apprentice has learnt the art (within the prescribed time) he must live in the house of his master for the full period of contract. (The student, desirous of learning an

Yājña-valkya.

[1] कृतशिल्पोऽपि निवसेत् कृतकालं गुरोर्गृहे ।
अन्तेवासी गुरुप्राप्तभोजनस्तत्फलप्रदः ॥

Here the question is raised whether the teacher has ownership even in what the punil acquires by voluntary *exertion* in traffic and the like, independent of his craft, and by agriculture or similar means, and by treasure-trove or other *accident*. There are two opinions held on the point. (Colebrooke's *Digest*, ibid.).

art), as he has received his board from the teacher, must make over to the latter the fruits of his labour (during the period of his pupilage). Here Yājña-valkya justifies the master's appropriation of the results of all work done by his pupil during his apprenticeship as a sort of compensation for the expenses he incurs in giving him free board, and lodging. The master was also empowered to compel the return of a runaway apprentice, whom he could flog or confine for his disobedience, provided such disobedience or desertion was not by way of protest against any mortal sin or other heinous crime committed by the master. This is no doubt a characteristically Hindu provision securing the moral purity of craftsmen to which modern industrial legislation is hardly sufficiently attentive. There is again another provision for the payment by the master to the pupil of a salary adequate to his proficiency if he desired to retain his services, in which case the first claim upon his services belongs to his master.

Lastly, the pupil is recommended always to be humble before his master in the following quaint exhortation: 'For science is like a river, ever advancing to a humbler level; therefore as one's knowledge grows broader and deeper one should become ever more humble towards the source of of one's knowledge' (Nārada, V. 12).

Relations between the master and apprentice, and method of training which explains its success.

This exhortation is indeed symbolical and characteristic of the sacred and spiritual relations[1] that normally obtained between the master-craftsman and his apprentices—relations which were the direct outcome of the peculiar educational system and environment under which they worked. To these wholesome relations, and especially to the superior educational efficacy of the system which produced them, is to be traced the signal success which is admitted on all hands to have been achieved by the handicraftsmen of ancient and mediaeval India, and which so largely enabled her to command for much more than a thousand years (from Pliny to Tavernier) the markets of the East as well as the West, and secured to her an easy and universally recognized pre-eminence among the nations of the world in exports and manufactures. We are, however, more concerned with the system than its success, with the methods of training than their results, the character of the educational machinery and organization than the record of its magnificent output. The essence of the whole scheme or

[1] Cf. *Mahāvagga*, I. 32, 1: 'The *ācariya*, O Bhikkhus, ought to consider the *antevāsika* as a son; the *antevāsika* ought to consider the *ācariya* as a father. Thus these two, united by mutual reverence, confidence, and communion of life, will progress, advance, and reach a high stage in this doctrine and discipline.

I prescribe, O Bhikkhus, that you live (the first) ten years in dependence on an *ācariya* . . .'

system, the fundamental feature on which it rests, is that the young craftsman is brought up and educated in the actual workshop of his master whose disciple he is, although the master may sometimes be even his father. This means that the pupil stands in a peculiar relation to his master, a sacred relation of devoted personal service and attachment in which alone can the learner best imbibe and most naturally and spontaneously assimilate the special excellences of his teacher, his true 'inward' method, nay, even his trade secrets which can no longer be hidden from one whom he has adopted as his son. The very intimacy and depth of the personal relationship between the teacher and the taught solves substantially the difficulties of the educative process, which is impossible in the case of the busy professor at a modern technical school where he is concerned with his students for a few hours in the week, and has no opportunity of associating them with his main business in which he is called upon to show his real worth and exercise his best talent. And this brings us to the other aspect of our indigenous organization, viz., training in the actual workshop where the teaching is learnt from the very beginning and in relation to real things, difficulties, and problems, and primarily by service, by personal attendance on the master. And it is not only technique that is learnt but something

more valuable: in the workshop there is life itself, besides mere plant and tools, for the workshop is part of a home, which relieves its mechanical monotony and places the pupil in touch with life and its difficulties, human relationships, culture, and religion, whereby his heart is trained as much as his hand—a thing which is as necessary to art as technique[1] itself.

Caste and craft.

Evidence of Smṛti,

There is one other noticeable feature in connexion with the rules of apprenticeship as explained by Nārada. It is that the considerations of caste did not affect the admission of apprentices into a craft. The only consideration that mattered was the consent of the apprentice's guardian and relations, and when that was obtained the youth was free to learn the craft which he affected. This shows that the barriers between occupations were not so fixed and rigid as those between castes. This is proved not only by the aforesaid solitary rule stated by Nārada, but by the universal permissive regulation contained in all the important law-books, authorizing the twice-born classes to take to an occupation of an inferior caste, in times of distress or failure, to obtain a living through lawful labour.[2]

[1] Some of the excellences of this domestic education are very well brought out by Dr. A. K. Coomaraswamy in his *Indian Craftsman* from which I have derived valuable hints and suggestions.

[2] See *Gautama*, VII. 6; *Vasiṣṭha*, II. 22; *Baudhāyana*, II. 4, 16; *Viṣṇu*, II. 15; *Manu*, X. 81.

The Pāli literature, moreover, is full of much interesting evidence on the point. The evidence will show that, though normally the trades and crafts were organized on an hereditary basis and technical talent descended from father to son and was confined to a particular family, the way was still open for exceptions to that rule. Certain other functions were also determined by caste. Spiritual ministrations were the work of Brāhmans, and administration that of Brāhmans and Kṣatriyas, though some share of it was being appropriated by the Vaiśyas (as in the case of the office of the king's treasurer, already referred to, with which was coupled the judgeship of the merchant guilds). But these distinctions did not hold in the economic sphere where all the castes seem to have stood together. The choice of occupations was quite free.

and of Buddhist works.

Thus in *Vinaya*, I. 77 and IV. 128 we find parents discussing the best profession which their son might choose, such as writing,[1] accountantcy,[2] and money-changing[3] without a reference being made to the father's trade. In *Cullavagga*, V. 28 the Bhikkhus

[1] *Lekhaṃ*. [2] *Gaṇanaṃ*.

[3] *Rūpaṃ*, i. e. money-changing, which will affect the eyes (*akkhīni dukkhā bhavissanti*). Cf. Buddhaghosa's note quoted in *S. B. E.*, vol. XIII, p. 201: 'He who learns the *rūpa-sutta* must turn over and over many *kāhāpaṇas* and look at them.'

are allowed 'the use of a loom and of shuttles, strings, tickets, and all the apparatus belonging to a loom' The Jātakas mention many instances of different degrees of intimacy between the Brāhmans, burghers, and princes, and even the lower classes, culminating even in intermarriages or sending sons to the same teacher for education (*Jāt.* I. 421. 422[1]; III. 9-11.[2] 249-54.[3] 340.[4] 405.[5] 406. 475[6]; IV. 38[7]; VI. 348.[8] 421. 422[9]). The free love of the times expressed itself in the following strain: 'Whomsoever the lover loves, be it a low Caṇḍālī, all are alike: in love there is no unlikeness'; and again, 'The mother of the king of Sivi is named

[1] A king marries a rustic woman on account of her decency.

[2] A king being defeated by rebels finds a hospitable shelter with a poor countryman, and rewards his benefactor with the half of his kingdom.

[3] A king marries an ascetic's daughter.

[4] There is a marriage between a queen and her priest's son.

[5] The Kosala king, being defeated by Ajātasattu, escapes to a forest where he sees the daughter of the chief of the garland-makers of Sāvatthi.

[6] 'Once upon a time, when Brahmadatta was reigning in Benares, his son, young Brahmadatta, and young Mahādhana, son of a rich merchant of Benares, were comrades and play-fellows, and were educated in the same teacher's house.'

[7] The son of a poor woman of a caravan, a merchant's son, and the son of a tailor in the employ of the merchant, 'all grew up together, and by and by went to Takkāsila to complete their education'.

[8] A Brāhman's daughter is married by the king.

[9] Instances of intermarriage between castes in traditional stories.

Jambāvatī (of the Caṇḍāla caste), and she was the beloved queen consort of Vāsudeva, one of the Kaṇhāyana clan' (*Jāt.* VI. 421). We also read of Brāhmans[1] as, physicians (IV. 361), goat-herds (III. 401), merchants, hunters, snake-charmers (IV. 457), archers, and the servant of an archer who was formerly a weaver (III. 219; V. 127. 128; I. 356. 357), low-caste trappers (*nesādā*) (II. 200: VI. 170); even cartwrights (IV. 207. 208). In *Jāt.* III. 49–51, a deer-trapper (*migaluddaka*) becomes the protégé and then the inseparable companion of a rich young Seṭṭhi. In *Jāt.* V. 290–3 a Kṣatriya, a king's son, named Kusa, in his infatuation for Pabhāvatī, apprentices himself incognito in succession to the court potter, basket-maker, florist, and cook to his father-in-law without a word being said as to his social degradation when these vagaries became known. In *Jāt.* IV. 84 a prince takes to trade, while in IV. 169 another resigning his kingdom goes to the frontier where he dwells 'with a rich merchant's family, working with his own hands'.

Examples of king-craftsmen.

We have in our literature even some examples of king-craftsmen,[2] showing that in those days the practice of a craft was not considered derogatory to

[1] *Jātaka*, no. 495, gives a long list of the various occupations followed by Brāhmans.

[2] *Manu*, VII. 43 lays down that the king must learn 'from the people the trades and professions'. [वार्त्तारम्भांश्च लोकतः।]

the dignity of a prince. The *Kusa-Jātaka* (no. 531), for instance, mentions a prince who only consents to marry when a princess is found exactly like a golden image which he himself had fashioned and which was far superior to that made by the chief smith employed for the purpose. Instances of royal craftsmen are also furnished by the *Mahāvaṃsa* (cf. XXX. and XXXIV.). A king is described as a 'skilful carver and painter who wrought a beautiful image of the Bodhisatta and also a throne, a parasol, and a state-room with beautiful work in ivory made for it, and who himself taught the arts to his subjects'. In Bāṇa's *Harṣacarita* IV. 157 it is stated how on the occasion of the marriage of a princess 'even kings girt up their loins and busied themselves in carrying out decorative work set as tasks by their sovereign'.

Castes did not always determine crafts.

Thus all the evidence shows that at the times to which it relates the division of castes was not quite rigid and was no bar to the free mobility of labour, both vertical and horizontal. Social divisions and economic occupations were very far from coinciding. There was, of course, plenty of pride of birth (which discouraged interdining and intermarrying between certain ranks) and sons, especially among artisans, tended to follow the paternal industry. Thus individuals and also families are often referred to in terms of their traditional calling (*M. Par.*

Sutta, 40[1]; *Jāt.* I. 98.[2] 194.[3] 312[4]; II. 79[5]; III. 376[6]). But, as we have seen, so far from their being any exclusiveness in ordinary intercourse between nobles, priests, and commoners, who were making or had made fortunes in trade, we frequently find the sons of burghers the playmates and school-fellows of princes and young Brāhmans. Thus the recognition of the dignity of all labour was a levelling influence promoting a social equality and brotherhood which subdued the pride of caste.

Recognition of the dignity of all labour.

There were, however, certain notable exceptions to this principle of the equality of social status of various crafts. Thus there were recognized certain low tribes or castes (*hīna-jātiyo*) and low trades or crafts (*hīna-sippa*). As instances of low castes are mentioned the Nesādas, hunters or trappers (*Ab.* 518. 1038; *Pāt.* 83[7]) the Caṇḍālas who are called 'the lowest race that go upon two feet—meanest

Exceptions. The 'low' crafts and castes in Buddhist literature

[1] 'How delightful a spot, Ānanda, is Vesāli, and the *Udena* cetiya, and the *Gotamaka* cetiya, and the *Sattambaka* cetiya, and the *Bahuputta* cetiya, and the *Sārandada* cetiya, and the *Cāpāla* cetiya.'

[2] 'The Bodhisatta was born into a merchant's family, and growing up in due course used to journey about *trading*.'

[3] 'A *young* merchant.'

[4] 'Cittahattha-Sāriputta.'

[5] The Bodhisatta born as a potter's son plied the potter's trade.

[6] The Bodhisatta born in a potter's family followed the potter's handicraft. For other references see *Jāt.* II. 30. 302; III. 286. 508; IV. 251; VI. 26. 336.

[7] See Childers.

men on earth' (*Jāt.* IV 397), contact with whom was pollution (*Jāt* II. 83; III. 233; IV. 376), who lived apart in their own settlements (*Jāt.* IV. 200. 376) by hunting and were sometimes employed for street-sweeping, (*Jāt.* IV. 390) and policing towns by night (*Jāt.* III. 30); and the Pukkusas[1] whose occupation is said to be that of throwing away dead flowers (*Ab.* 508; *Jāt.* IV. 205[2]). As examples of low crafts are mentioned those of the Veṇas, workers in bamboo or wicker-work (*Ab.* 509; *Pāt.* 83[2]), wheel-wrights and carriage-builders (*ratha-kāras*), basket-makers, potters, weavers, leather-workers, and barbers, all called *hīna sippa* in the list given in the *Sutta-Vibhaṅga* (see *Vin.* IV. 6–10[3] (M. II. 152; A. II. 85=P.P. 51); *Jāt.* IV. 413[4]; V. 337[5]). It should, however, be noted that the social stigma resting on these 'low trades' was due sometimes to their very nature (as in the case of butchering, for

[1] According to Manu the son of a Niṣāda by a Śūdra female becomes a Pukkasa by caste (X. 18), his occupation is that of catching and killing animals living in holes (X. 49). Cf. *Viṣṇu*, XVI. 9: 'Pukkasas must live by hunting.' See also Childers.

[2] See Childers.

[3] 'Hīnaṃ nāma sippaṃ nalakārasippaṃ kumbhakārasippaṃ pesakārasippaṃ cammakārasippaṃ nahāpitasippaṃ.' Among the *hīnajāti* or low castes the *Vinaya* enumerates the Caṇḍāla, Veṇa, Nesāda, Rathakāra, and Pukkusa.

[4] 'A village of hunters near Benares' is mentioned.

[5] 'A village of fowlers' near the city of Sakula, in the kingdom of Mahimsaka, is mentioned.

example) but chiefly to their association with the aboriginal non-Aryan tribes who followed them as their hereditary occupations. It is also a significant fact that the same stigma attached to the 'hireling' working with another man's capital and for his profits, for in a list of callings given in the Buddhist books he ranks along with the mere hewers of wood and flower-gatherers and below the slave (D. I. 51; *Mil.* 331). The slave was indeed better treated; the only case of slave-beating is that of a slave-girl let out to work for hire but returning home without her wage (*Jāt.* I. 402. 403). In *Jāt.* I. 390 the conversion of free peasant proprietors into hirelings, toiling on the estates of the royal capitalist,[1] with 'their own empty barns at home' is taken to be a sure symptom of social decadence.

Again the *Cullavagga*, XII. 1, 3 mentions as the fourth among 'the four stains by which Samaṇas and Brāhmaṇas are affected' the practice as 'means of life' of certain 'low arts' which are set out in the *Mahāsīla* (*Tevijja Sutta*, ch. II) as comprising chiefly the black arts, explanation of signs, omens, auguries, dreams, forecasting weather, foretelling events, &c. The *Mil. Pañha* (I. 191) seems

[1] *Jāt.* I. 468 gives an instance of a millionaire with his hired labourers.

to attach an indignity to the crafts of 'wrestlers, tumblers, jugglers,, actors,[1] ballet-dancers, followers of the mystic cult of the sun and moon, of the goddess of fortune and other gods who keep the secrets of their craft to their own sect or guild. The *Saddnarmapuṇḍarīka* (ch. III) enjoins that Bodhisattvas and preachers must shun 'Caṇḍālas, jugglers, vendors of pork, poulterers, deer-hunters, butchers, actors and dancers, and wrestlers'. In the *Kulasīla* the Bhikkhu is to abstain from 'dancing, singing, music, and theatrical shows'; in the *Majjhimasīla* from all public spectacles (of which a most exhaustive list is given), and from 'performing the servile duties of a go-between, that is to say, between kings, ministers of state, &c.'[2];

and Hindu law-books. The principle of their determination

The 'low-trades' mentioned in the Smṛtis naturally cover a wider ground because they are determined with reference to the stricter ideals and more orthodox standpoint of the Brāhmaṇa. Yet a comparative consideration of these cannot fail to be interesting for the light it will throw on early Indian social and economic conditions. It will appear from the evidence that there is a substantial

[1] *Jāt.* VI. 191 refers to the popular belief that even 'Nāgas do not dance for shame' before actors.

[2] *Jāt.*, no. 179 (II. 82), refers to 'Brethren who used to get a living by being *physicians* (note the prohibition in the Hindu Smṛtis), or runners, doing errands on foot . . *the twenty-one unlawful callings*'

agreement between the Pāli works and our law-books in respect of the trades or professions implying an inferior social status. It is not quite pertinent to the present inquiry to refer to certain classes, castes, professions, or peoples, which, according to ancient Hindu law, were subjected to social disapproval on account of their deficiencies due to physical, moral, or religious considerations. From the severe, uncompromising, Puritanic standpoint of the Brahmanical way of life and its austere ideals of inner and outer purity, it is indeed no wonder that serious physical deformities or defects and contagious diseases should render a person unworthy of proper social intercourse, especially on religious occasions like the performance of a *śrāddha*; and that a similar disqualification should arise from serious moral delinquencies or breaches of religious rules regarding conduct and discipline proper to the caste to which the offender belonged. But, leaving out of consideration these cases which are peculiar to the Brahmanical system of thought and code of life, we shall find that the crafts and castes, trades and professions, on which the Hindu law-books impose a social stigma, are practically identical with those mentioned in the Buddhist books. The Bhikkhu and the Brāhman will indeed appear to have needed the discipline of common regulations and restrictions as regards social intercourse to

preserve and protect their respective purity and asceticism. Thus the interdiction of singing, dancing, acting, theatrical performances, and other public spectacles, which we find emphasized with such Puritanic rigour in some of the Buddhist books, is also similarly repeated in all the important Hindu legal works. Thus Manu condemns *kuśīlavas*, explained by Medhātithi as 'bards, actors, jugglers, dancers, singers, and the like', as being unworthy of invitation to a *śrāddha* (III. 155 and 158); the food given by a musician (IV. 210) and by an actor (IV. 214) is also not acceptable. Among the lowest classes mentioned are *jhallas*, *mallas*, i.e. 'fencers with sticks or wrestlers and jesters' and *naṭas*, i.e. stage-players (XII. 45). Similarly Vasiṣṭha condemns actors (III. 3); also Baudhāyana (I. 5, 10, 24), who adds to them stage-players, and teachers of dancing, singing, and acting, condemned as *upapātakins* (II. 1, 2, 13). Nārada condemns as incompetent witnesses gamesters, dancers, and jugglers (I. 178. 181. 184). Bṛhaspati condemns low artists as no better than thieves (XXII. 3), while Viṣṇu holds dancing as a crime (XXXVII. 32), and public dancers (LI. 13) and stage-players (ibid. 14) as unworthy of giving food. Similarly the odium attaching to hirelings as mentioned in some of the Buddhist books is confirmed by Hindu law.[1] Thus Manu condemns a paid

[1] In V. 5 Nārada lays down a singular line of distinction between

servant (of a village or a king), temple-priests (III. 152. 153) and domestic priests of kings (XII, 46). Similarly condemned also are astrologers,[1] weather-prophets,[2] those who interpret evil omens and practise propitiatory rites.[3] The following are the other crafts, professions or occupations[4] on which rests a social stigma, viz. butchers, meat-sellers, bird-fanciers, fowlers, hunters, trappers or poachers (i. e. those who hunt without the bow), *niṣādas* (who live by fishing), trainers of animals (like horses, elephants, camels, oxen), dog-trainers, snake-catchers; leather-manufacturers, cobblers; makers of bows and arrows, dealers in weapons, blacksmiths, gold smiths; carpenters, weavers, dyers, oil-manufacturers, ploughmen, artisans, mechanics, architects; super-intendents or workers in mines or factories; those who execute great mechanical works[5] or make large

pure and impure occupations: 'Know that there are two sorts of occupations; pure work and impure work. Impure work is that done by slaves. Pure work is that done by labourers.'

[1] *Manu*, III. 162; *Viṣṇu*, LXXXII. 7; *Nārada*, I. 183.

[2] *Nārada*, I. 183.

[3] *Bṛhaspati*, XXII. 3.

[4] *Manu*, III. 150–63; IV. 84. 210–16; VIII. 65. 66; XI. 64; XII. 45. 46. *Āpastamba*, I. 6, 14. *Gautama*, XVII. 17. *Vasiṣṭha*, III. 3; XIV. 2, 3. *Baudhāyana*, I. 5, 10, 24; II. 1, 2, 13. *Nārada*, I. 178. 181. 183–85. *Bṛhaspati*, XXII. 3. *Viṣṇu*, XXXVII. 22. 23. 32; LI. 8. 10. 13. 14. 15; LXXXII. 7. 9.

[5] *Manu*, XI. 64: *mahāyantrapravartana* has been severally explained as 'constructing dams across rivers in order to stop the water' (Medh., Govind., Kullūka); 'making machines for killing

instruments[1]; washermen, quacks; tailors, shop-keepers, and publicans. It is also interesting to note that Manu, like the Buddhist books, thinks ill of messengers.[2] Basket-makers[3] and workers in cane[4] are also condemned as in the Buddhist works. Gautama bans the police-officer,[5] and Vasiṣṭha, the mace-bearer,[6] while Nārada[7] brands the enemy of a guild of traders or association of clansmen as unworthy of acceptance as a witness in law-courts. Lastly, the paid priests who sacrifice for a multitude do not escape from their share of the social odium.[8]

necessarily stricter in the latter.

It should of course be carefully borne in mind that the above list of disapproved occupations and 'low trades' is meant only for the guidance of the highest caste in Hindu society, whose special religious duties, social status, privileges, and obligations alone have determined the list without any reference to the other castes, and it is therefore devoid of much

great animals such as boars' (Nār.); or 'making great machines such as sugar-mills' (Nand.). Thus mechanical engineers are meant, but it is to be understood that their profession is not approved for a Brāhmaṇa only.

[1] *Viṣṇu*, XXXVII. 23: explained by the commentator 'as instruments for piercing the elephant's ear'.

[2] *Manu*, III. 163. [3] *Manu*, IV. 215. [4] *Viṣṇu*, II. 14.

[5] XVII. 17. [6] XIV. 2. [7] I. 184.

[8] *Manu*, III. 151; *Baudhāyana*, II. 1, 2, 13. As has been already stated, Baudhāyana does not permit the Brāhmaṇa to teach professional dancers, and actors the actual works on their art (*nāṭyācāryatā*), e.g. the *naṭa-sūtras* mentioned by Pāṇini (IV 3, 110).

economic significance. Thus the aforesaid professions have been disapproved with reference and in relation to two main purposes affecting the Brāhmaṇas, viz. (1) entertainment at a *śrāddha* and funeral dinner; (2) receipt of presents or gifts (including food), and in respect of these two purposes the majority of the aforesaid castes and crafts have been declared to be *not* eligible. The principle of the declaration is therefore strictly relative to the religious necessities of a particular caste and does not point to any absolute standard by which the economic functions of society could be regulated.[1] But the principle is meant to be absolute so far as the Brāhmaṇa caste is concerned, for which it certainly defines the sphere of legitimate economic activity. Though, however, in the majority of the instances mentioned, the principle of disapproval is merely religious and relative to a particular caste, there are some in regard to which the disapproval was perhaps determined by an absolute and universal standard expressing the social opinion of the whole community. I mean those classes, crafts, or professions

[1] It is interesting to note that such an absolute standard is laid down by Nārada, V. 5 (already quoted), 6, and 7: 'Sweeping the gateway, the privy, the road, and the place of rubbish; shampooing the secret parts of the body; gathering and putting away the leavings of food, ordure, and urine; and lastly, rubbing the master's limbs when desired; this should be regarded as impure work. *All other work besides this is pure.*'

concerned. The apprentice in the industrial sense indeed appears frequently in the Jātaka but no terms or period or other conditions of pupilage are given. Thus in *Jāt.* no. 97 we have a publican and his apprentice, while in *Jāt.* no. 531, the *Kusa-Jātaka*, as we have already seen, a prince apprentices himself to a potter, basket-maker, florist, and the royal *chef* in succession. In *Jāt.* V. 457–9, two princes receive instruction in arts at the hands of the same teacher who had besides 101 other pupils. The senior pupil also acts as an assistant teacher (*piṭṭhiācariya*). The position of a senior pupil to a *mahāvaddhaki* is indicated by Buddhaghosa (*Asl.* 111. 112). We have also instances of fees being paid by apprentices to their teachers (*Jāt.* IV. 224. 225; 38. 39, where two merchants' sons paid 2,000 pieces each to their master as fee).

Craft-guilds.

In the Buddhist books the craft-guilds were organized under a head called *pamukha* or *jeṭṭhaka* but there is one instance, as we have already seen, of all the guilds having a common chief, who was also lord of the treasury in the kingdom of Kāsi. The centralization in this case was perhaps due to quarrels between the foremen of the subordinate guilds such as those at Sāvatthi mentioned in *Jāt.* II. 12. 52.

Localization of crafts.

There seems to have been also a considerable localization of trades and crafts. Suburban villages grew up to serve the cities where certain crafts

were exclusively localized; e.g. smith villages of 1,000 families (*Jāt.* III. 281–6); villages of wood-wrights numbering 500 (*Jāt.* II. 18. 405; IV. 208) and sometimes towns (*Jāt.* IV 159) containing 1,000 families; and villages famous for potters (*Jāt.* III. 376. 508). There were also crafts localized in special quarters of the cities, e.g. the ivory-workers' bazaar in the city of Benares (*Jāt.* I. 320; II. 197), the localities of dyers, perfumers, and florists (*Jāt.* IV. 81. 82); the cooks' quarters in Sāvatthi (*Jāt.* III. 48.) Sometimes the crafts were associated with special streets named after them in the cities; e.g. the washermen's-street (*Jāt.* IV. 81) in Asitañjanā, the Vaiśya-street and quarter (*Jāt.* VI. 485).

Sanskrit evidence.

We have also some evidence of localization of trades and industries in Sanskrit works. The *Kauṭilīya* (II. i.) refers to the artificial creation by the king of villages of agriculturists belonging to the Śūdra caste, of Brāhmaṇa villages with forests for their undisturbed pursuit of learning and religion, of mines and factories, timber and elephant forests and markets. Within the city the various trades and crafts were localized in special quarters and their distribution followed a definite plan. Thus every caste and craft had a locality of its own [see II. iv. for the details of the distribution]. In the Śilpaśāstra work called *Mānasāra* is described a village plan called *Nandyāvarta* meant for a mixed

population of different social grades assigned to different localities. There is an example of village-planning mentioned in a South Indian inscription of the thirteenth century A.D. in which the village is intended to accommodate 108 Brāhman families with lands for grazing cattle, new settlers and remuneration of the village officers and artisans (*Madras Epigraphy, Annual Report*, 1913–14, p. 92). One of the Ukkal inscriptions mentions villages of Brāhmaṇas, of Vaikhānasas and of Śramaṇas (i. e. Jainas) in the Cola, Toṇḍai and Pāṇḍya countries (no. 9, Hultzsch, *S. I. Inscr.*, vol. III, p. 15).

Control of guild over its members.

The degree of control of the guild over its members is evident from the fact that its interference was invoked to settle differences between its members and their wives (*Vin.* IV. 226) and also from the ordinance of the Buddhist church, which forbade the giving religious orders to the wife of a member unless his guild had sanctioned it (*Sutta Vibhaṅga* quoted in *Economic Journal*, 1901. p. 313).

Merchant-guilds.

Merchant-guilds do not seem to have attained the same development as the craft-guilds. The reason seems to have been that the merchant was necessarily a wanderer, while industrial organizations in these olden times depended largely upon settled relations and ties of neighbourhood. A Hansa League, for instance, can only grow in highly developed markets and at sea-ports. Nevertheless

there is some significant evidence of corporate, concerted action among the merchants: the *Cullaka-seṭṭhi-Jātaka* mentions a hundred or so of merchants offering to buy up a newly-arrived ship's cargo (*Jāt.* I. 122); 500 traders were fellow-passengers on board the ill-fated ships mentioned in *Jāt.* II. 128 and V. 75; 700 others were lucky enough to secure Suppāraka as their pilot (*Jāt.* IV. 138–42), thus showing 'co-operative chartering' of the same vessel. Again, caravan-traders had a common chief who was to give directions as to halts, watering, precautions against robbers, and, in many cases, as to route, fords, &c. (*Jāt.* I. 98. 99. 107. 174; II. 295. 335; III. 200). Further, several partnerships are mentioned, e. g. in a deal in birds exported from India to Babylon (*Jāt.* III. 126. 127), in horses imported from the 'north' to Benares (*Jāt.* II. 31), partnerships of traders of Sāvatthi who carried on joint-business and set out with 500 cart-loads of merchandise (*Jāt.* IV. 350–4); of two other traders of Sāvatthi who 'joined partnership and loaded 500 waggons full of wares' (*Jāt.* II. 181); partnership business in pots and pans (*Jāt.* I. 111); partnership of two merchants of Benares who 'took 500 waggons of merchandise from Benares to the country-districts' with an equal interest of both in the 'stock-in-trade and in the oxen and waggons' (*Jāt.* I. 404). A concerted commercial enterprise on a more extensive scale appears

Partnerships in the Jātakas.

in *Jāt.* II. 294–6, where some traders in Sāvatthi carried on a joint business and came upon rich finds of 'minerals of all sorts from iron to lapis lazuli', which they stowed away in a common treasure-house, giving food to the brotherhood on joint account. These are distinguished from another partnership of traders who were more greedy and came to grief. Again, *Jāt.* II. 248 shows concerted action in business and sport of 'certain traders in Benares who made a journey to Ujjenī for trade', where they afterwards gave themselves up to merry-making.

The existence of a merchant-guild ruling the trade of the city of Sopāra is mentioned in the legend of Pūrṇa, translated by Burnouf from Nepalese and Tibetan sources apparently of the third or fourth century B.C. (*Bombay Gazetteer*, old ed., vol. XIII, p. 406).

Partnership and Guilds in the Smṛtis.

Partnerships are known to the Smṛti works of Nārada and Bṛhaspati, which lay down the laws regulating them. The loss, expenses, and profits of the business are to be shared by each partner according to the share contributed by him to the joint-stock[1] (*Nārada*, III. 1. 3–4[2]; *Bṛhaspati*,

[1] Cf. *Manu*, VIII. 211; *Yājñāvalkya*, II. 259.

[2] वणिक्प्रभृतयो यत्र कर्म संभूय कुर्वते। तत्संभूयसमुत्थानं व्यवहारपदं स्मृतम्॥ समोऽतिरिक्तो हीनो वा यत्रांशो यस्य यादृशः। क्षयव्ययौ तथा वृद्धिस्तस्य तत्र तथाविधाः॥ भाण्डपिण्डव्ययोद्धारभारसारान्ववेक्षणम्। कुर्युस्तेऽव्यभिचारेण समये स्वे व्यवस्थिताः॥

XIV. 3–4[1]). A partner is responsible for any loss due to his want of care or any action without the assent, or against the instructions, of his co-partners (*Nārada*, III. 5[2]; *Bṛhaspati*, XIV. 9).[3] Similarly, he is entitled to a special remuneration for special profit gained through his individual action (*Nārada*, III. 6[4]; *Bṛhaspati*, XIV. 10[5]). A contract executed by one is binding on all (*Bṛhaspati*, XIV. 5).[6] The partners are to be judges and witnesses in deciding their own disputes (6). The honesty of partners is to be proved by oath or ordeal (7). In case of death of a partner his goods must be shown and delivered to officers appointed by the king for safe custody until his legally proved heir claims them (11. 12). The king takes $\frac{1}{6}$, $\frac{1}{9}$, and $\frac{1}{12}$ of

1 समो न्यूनाधिको वांशो येन क्षिप्तस्तथैव सः।
व्ययं दद्यात्कर्म कुर्याल्लाभं गृह्णीत चैव हि॥
प्रयोगं कुर्वते ये तु हेमधान्यरसादिना।
समन्यूनाधिकैरंशैर्लाभस्तेषां तथाविधः॥

2 प्रमादान्नाशितं दाप्यः प्रतिषिद्धकृतं च यत्।
असंदिष्टश्च यत्कुर्यात्सर्वैः संभूयकारिभिः॥

3 अनिर्दिष्टो वार्यमाणः प्रमादाद्यस्तु नाशयेत्।
तेनैव तद्भवेद्देयं सर्वेषां समवायिनाम्॥

4 दैवतस्कर राजाग्निव्यसने समुपस्थिते।
यस्तत्स्वशक्त्या रक्षेत्तु तस्यांशो दशमः स्मृतः॥

5 राजदैवभयाद्यस्तु स्वशक्त्या परिपालयेत्।
तस्यांशं दशमं दत्त्वा गृह्णीयुस्तेऽशतोऽपरम्॥

6 बहूनां सम्मतो यस्तु दद्यादेको धनं नरः।
करणं कारयेद्वापि सर्वैरेव कृतं भवेत्॥

the property of the deceased according as it is that of a Śūdra, a Vaiśya, and a Kṣatriya. Property un-claimed for three years [according to Baudhāyana one year (cited in the *Vivādaratnākara*)] will vest in the king unless it is a Brāhman's property which should be distributed among Brāhmans after deducting 5 per cent. as the king's share (13. 14).

Different types of Guilds.

It will appear that the law books mention various forms of co-operative enterprise, based on 'union of capital as well as efforts', which seem to partake more of the nature of guilds than the mere partnerships of a limited scope as we know them now, and as explained by most of the translators. The law books mention various types of guilds showing how the principle of co-operation had an extended application in the economic life of Ancient India. We have guilds of (1) traders, (2) agriculturists, and (3) artisans, and even of (4) priests, (5) soldiers, and (6) dancers and musicians. There is thus co-operation in all spheres of life, economic, military, artistic, and religious.

Eligibility of members

Some of the rules for the constitution of co-operative societies or guilds in general together with their rules of business have been already given. There are also laid down certain general qualifications of membership upon the basis of which alone a guild can be constituted. These moral and mental factors are not less important than the legal ones cited

above. Guilds can be constituted only by men possessed of one or other of the following qualifications, viz., (1) nobility of birth, [' which disdains to break engagements at any cost '] (2) practical ability, (3) diligence or energy, (4) proficiency, (5) knowledge of currency, (6) knowledge of accountancy, (7) honesty, and (8) physical valour. Of these, (5) and (6) apply specially to trade, (6) to agriculture, (4) to arts and crafts, (1), (4), and (7) to the priestly craft, (8) to the military arts (political dacoities and raids), while (2) and (3) are the common requisites of all the various guilds (*Smṛti-Candrikā*). It is further pointed out that (2) and (3) exclude those who are physically disabled, while (5) excludes the unfortunate and the destitute who cannot contribute any capital to the funds of the guild (*nirāśraya*). It is also to be noted in this connexion that the contribution to the common stock may be in cash or kind, (e. g. gold, grain, liquids, and condiments as stated by Bṛhaspati, XIV. 4), according to the nature of the guild. The contributions of members determine their share not only of the expenses, losses, and profits of the joint-business, but also of the labours of management. All must be working partners.

The duties of the partners or members of a guild are detailed. According to Vyāsa (quoted in the *Smṛti-Candrikā*), they must not cheat one another in any way; should buy or sell various commodities accord- **and their duties.**

ing to the prices; and should pay tolls or octroi duties on the goods as being due to the king, without concealing their quantity or character for purposes of evasion which, if detected beyond the limits of the toll gate, will render the partners liable to pay a fine of double duties. According to Nārada (III. 4), the partners must pay all the legitimate expenses of the business such as those connected with the following items; (1) purchase and sale of merchandise, (2) provision for necessary travelling, (3) wages of labourers employed, (4) realization of dues, (5) freight, and (6) care of the treasures (see the comments of the *Vivādaratnākara*). Sometimes *one* partner may be appointed as the managing director of the business to do the work of *all* (*Smṛti-Candrikā* explaining Bṛhaspati, XIV. 5). Kauṭilya (VIII. iv) mentions trading partners combining to control prices of their goods.

Dishonesty is punished by expulsion from the guild and forfeiture of share in the profits (*Yājñ.* II. 265).

A partner disabled may appoint a nominee to do his part of the work (ibid).

Any member protecting, by his personal powers, the common property of the guild from the attacks of human (e. g. robber or king) or natural agencies (e. g. flood or fire) is entitled to a special share of the profits (10 per cent.) as his reward (Kātyāyana quoted by the *Smṛti-Candrikā*)

We shall now set forth the special terms and conditions applying to the different varieties of guilds as stated above. It is to be noted that the general laws of partnership as explained above with reference to the merchant guilds (e. g. expenses, losses, and profits to be shared according to shares in the joint-capital) are to be understood as applying to the other classes of guilds.

The special rules of different Guilds.

The guild of agriculturists is to be based on equal contributions in cattle, workmen, seeds and the like [e. g. the necessary capital (*Smṛti-Candrikā*)], and also implements of industry. A loss due to defect in any of these contributions must be made good by the defaulting partner (*Bṛhaspati*, XIV. 21. 25).

Agricultural guild.

As regards *craft-guilds*, Bṛhaspati mentions a number of varieties of these, such as those of (1) goldsmiths, (2) silversmiths, (3) workers in other or base metals [(*kupya*) like tin and lead (*Smṛti-Candrikā*)], (4) carpenters, (5) stone-dressers (*saṃskartā*), and (6) leather manufacturers ['and also of rope, balls of silk, bones, &c.']. The general law applicable to them all is that the artisans are to divide their profits according to the quality of the labour they can contribute or the handiwork produced. According to Kātyāyana the craft-guilds will generally represent four classes or grades of labour and skill as embodied in the *śiṣya*, (the young apprentice), the *abhijña*, (the craftsman possessing full knowledge), the *kuśala*,

Various Craft-guilds

(the skilled craftsman), and the *ācārya*, i.e. he who introduces new modes or inventions [as explained by the *Vyavahāramayūkha*: (*nūtana-mārga-pravartakaḥ*)]. These four types of industrial ability are mentioned in the ascending order of merit (*Vivādaratnākara*). These are to receive respectively one, two, three, and four shares of the pay or profit (*Vyavahāramayūkha*). According to Bṛhaspati (29), the master craftsman will be entitled to a double share of the profits. The head of an engineering firm building a house or a temple, or digging a tank, will also have a double share of the profits.

Musical Companies.

Companies of actors (*nartakas*) and musicians are also mentioned. A share and a half would belong to the chief musician (*tālajña*) who beats time.

Priestly Guild.

The priestly craft had also its own guild to regulate its members. The sacrificial fee is to be divided among the sixteen officiating priests as follows: the heads of the four classes are to receive 48 per cent. (each 12 per cent.); the second priest 24 per cent., the third 16 per cent., and the fourth 12 per cent. (*Manu*, VIII. 210). Among other laws may be mentioned the following: If an officiating priest chosen to perform a sacrifice abandons his work, a share only of the fee in proportion to the work done shall be given to him by those who work with him (ibid. 206). If among several officiating priests one should meet with a calamity, his share of the

work shall pass to another, and the stipulated fee shall also belong to his substitute (*Nārada*, III. 8). An officiating priest forsaking his work without a sufficient cause is to be punished.

Military Guild.

The military guilds had also their own laws. The partnership in plunder is precisely regulated. Where the guild is deputed by the king to plunder an enemy's country, the first charge on the booty secured is the king's share of one-sixth. The remainder is to be divided as follows: the leader of the free-booters is to get four shares, he who has shown special heroism will get three, one specially energetic shall get two, and the other indifferent associates shall share alike (*Bṛh.*, 31.32). These rules, according to Kātyāyana (explained in the *Vīramitrodaya*), apply where the expedition is sent against, and the plunder secured from, a powerful enemy difficult to be defeated. In the case of a weaker enemy, the king's share is only one-tenth. (Does the king's share depend upon the amount of assistance he himself sends to the guild in its plundering expedition?) The *Vivādaratnākara* (p. 126), however, takes the two cases to be those of remote and neighbouring enemies. In the case of any member of the company being arrested, his release must be procured at the common expense to be shared by members according to their individual contribution to the common fund (ibid).

Money-lending Corporations.

Lastly we may note that there were also money-lending corporations like our modern loan offices or banks. They used to lend not merely gold and silver, but also liquids, condiments, and grain. In the case of the former, no time limit for the liquidation of the loan was insisted upon, the matter being left to the choice of the parties. In the other case, where goods of a more perishable nature were concerned, it was necessary to fix a time limit. The recovery of the loan was the duty of the corporation as a body. An individual member trying to realize his part of the joint-loan separately is to forfeit interest (*Bṛhaspati*, 18. 19). All the other rules relating to the loans of individuals are also applicable to those of associations (ibid. 20).

§ 2

Examples of gifts by individual merchants in North Indian inscriptions.

The epigraphic evidence also confirms the literary evidence and throws some new light on these organizations of craft-guilds and merchant-guilds. We read of munificent religious endowments and benefactions executed by merchant princes and prosperous guilds whose wealth is derived from success in trade and commerce. The great *caitya* cave at Kārli was the gift of a śeṭh (*śreṣṭhin*) of Vaijayantī. There were similar costly gifts at other places also, such as those at Kānheri. In the

Mathurā Jaina image inscription (no. 24 in Lüders's List)[1] the wife of the śeṭh Veṇi dedicates a fourfold image of Bhagavāna. Similarly in the Mathurā Jaina elephant capital inscription of the time of Mahārāja Devaputra Huviṣka the elephant Nandiviśāla is set up by the śeṭh Ārya Rudradāsa for the worship of the Arhats (no. 41). In the inscriptions of the Sānchi stūpa assigned to the period dating from Aśoka's time up to the first century A. C. (*Ep. Ind.*, vol. II, p. 88) we have records of gifts made by several merchants, viz. those of Sāmanerā, the Abeyaka śeṭh (i.e. 'the śeṭh of a town or village called Aba or Amba, in Sanskrit Āmragrāma') (no. 184); of the śeṭh, the great executor of repairs (*patikamakārikānā*) (no. 248); gift of a pillar (*thava*) by Nāgapiya, the Korāra (native of Kurāra), a śeṭh in Achāvaḍa (339); gift of the śeṭh Śiha (364); gift of the śeṭh Nāgadīna (Nāgadatta), inhabitant of Rohaṇipada (*Ep. Ind.*, vol. II, p. 109); the gift of Devabhāga, wife of the śeṭh of Kaṃdaḍigrāma (423); the gift of the śeṭh Nāgila (470); gift of the śeṭh Budhapālita, native of Pāḍukulikā (Pāṇḍukulikā) (576); gift of Nāgā, wife of the Kaṃdaḍigāmīya śeṭh (no. 140, *Ep. Ind.*, vol. II, p. 372); of Kaniyasi, the mother of the śeṭh (ibid., no. 167, p. 374); of Kujara (Kuñjara), brother of the śeṭh (ibid., no. 170, p. 375); of Nāgapiya, the śeṭh

[1] *Ep. Ind.*, vol. X, App.

of Achāvaḍa and of his son Saṃgha (ibid., no. 201, p. 378). The inscription no. 190 in Cunningham, *Bhilsa Topes* (p. 264) records the gift of Ānaṃda, the son of Vāsiṭhi (Vāsiṣṭhī), the foreman of the artisans (*āvesanin*) of Rājā Siri-Sātakaṇi. Some of the Kānheri Buddhist cave inscriptions record gifts of artisans and merchants. No. 986 in Lüders's List mentions the gift of a cistern (*pāniyaka*) by a goldsmith, Samidata of Kalyāṇa. No. 987 mentions the building of a *caitya* by the merchants (*vāṇijaka*) of which the overseers included a merchant (*negama*) named Apareṇuka, while the labourers included the stone-cutters (*sela-vaḍhakin*), the *nāyakamisas*, the *kaḍhicakas*, the *mahākaṭakas* and the polisher (*mīṭhika*) Khadaraki. No. 995 mentions the gift of a cistern (*poḍhī*) of the merchant (*negama*) Samika from Sopāraga (*Śūrpāraka*). No. 998 mentions the gift of a cave (*leṇa*), a water-cistern (*pāṇiyapoḍhī*), benches for sitting on (*āsaṇapeḍhikā*), a chair (? *pidha*) and a walk (*cakama*) by the merchant (*negama*), Dhama. No. 1,000 mentions the gift of a cave and cistern by a merchant named Isipāla; no. 1,001 of a cave by a merchant; no. 1,005 of a cave by a jeweller (*maṇikāra*), Nāgapālita of Śūrpāraka; no. 1,024 the gift of a cave, and a hall (*koḍhi*) by Apareṇu the son of a Kalyāṇa merchant; and no. 1,032 the gift of a path (? *patha*) by the blacksmith (Kamāra) Nada (Nanda) from Kalyaṇa. Nos. 1,202, 1,203, and

1,204 record gift of five entrance pillars to the Great Caitya of Velagiri by the foreman of a guild of artisans (*āvesanin*) named Sidhatha. No. 1,298, an Amarāvatī inscription, mentions another foreman Nadabhuti (Nandabhūti). In the Kudā Buddhist cave inscriptions (nos. 1,063, 1,064) we have the gifts of a cave by the śeṭh Vasulaṇaka and of a cistern (*poḍhī*) by the same śeṭh. In the Mahāḍ Buddhist cave inscription (1,073) we have the gift of a cave (*leṇa*) and a Caitya hall (*cetiakoḍhi*) by the wife of the śeṭh Saṃgharakhita and in the Kol Buddhist cave inscription (1,075) the gift of a cave by the śeṭh of the same name. In the Kārli Buddhist cave inscription (*Ep. Ind.*, vol. VII, p. 48) we have the establishment of a cave-dwelling (*śelaghara*) the most excellent one in Jambudvīpa, by the śeṭh Bhutapāla from Vejayaṃtī (Vaijayantī), or Banavāsi in the North Kanara district. The Beḍsā Buddhist cave inscription (1,109) mentions the gift of Pusaṇaka (Puṣya), son of the śeṭh Ānada from Nāsika. The Amarāvatī Buddhist sculpture inscription (1,261) records the gift of a rail bar (*suci*) by the righteous hamlet (*bhadanigama*), the Cadakica (of Cadaka), headed by the śeṭhs.

But besides these instances of gifts of individual merchant-princes, heads of families or aldermen and foremen of villages and guilds, we have also instances of collective donations made by villages, towns, and

guilds. Thus the Bharhut Buddhist coping-stone inscription (Cunningham, *Stūpa of Bharhut*, no. 16, p. 131) records a gift of the town (*nigama*) of Karahakaṭa. Out of about 285 votive inscriptions of the Sānchi stūpa there are ten recording donations by corporate bodies or families Among these may be mentioned those made by the Vejaja village (*gāma*) (*Ep. Ind.*, vol. II, no. 17, p. 98) and Pāḍukulikā village (ibid., no. 1 of Tope II, p. 110); the gift of the *Bodhagoṭhi* (*Bauddhagoṣṭhi*) of Dharmavardhana (ibid., nos. 25, 26, pp. 99, 100), a *goṣṭhi* being 'a committee of trustees in charge of a temple or of a charitable foundation' (Bühler, ibid., p. 92); of the Barulamisa *goṭhi* from Vedisa (ibid., no. 51, p. 102). The Sānchi stūpa inscription, no. 200 (ibid., p. 378), mentions that the carving (*rūpa-kamma*) was done by the workers in ivory of Vedisa who had organized themselves into a guild (*śreṇī*) and made that collective gift, as suggested by Bühler (ibid., p. 92). Among the gifts made by clans or families we have those made by the Vākiliyas of Ujjain (ibid., no. 27, p. 100) and the relatives of the venerable Nāgila (ibid., no. 84, p. 106).

Examples of gifts of guilds in North Indian inscriptions.

The Junnar Buddhist cave inscription (no. 10, Bühler-Burgess, *Arch. Surv. W. Ind.*, vol. IV., p. 94) records the gift of a seven-celled cave (*satagabha*) and a cistern (*poḍhī*) by the guild (*śeṇī*) of corn-dealers (*dhaṃñika*).

Some of the Bhattiprolu inscriptions which, according to Bühler, are 'not later than 200 B.C.', record gifts made by *goṭhis* or committees (*Ep. Ind.*, vol. II, p. 325). Thus no. 3 mentions the names of the members of the *goṭhi*. No. 6 mentions the gift of a casket (*majūsa*), the crystal-box (*ṣamuga*) and the stone-box (*ṣamuga*) by 'the members of the Ṣā-gaṭhi guild or town (*nigama*) chief among whom is the king who was Khubiraka, the chief of the Sīha (*Siṁha*) *goṭhi*'. The members of the guild are named in no. 8.

In the Mandasor inscription of Kumāragupta and Bandhuvarman (Fleet, *Gupta Inscriptions*, p. 86) it is stated how 'a noble and unequalled temple of the bright-rayed sun was caused to be constructed by the silk-cloth weavers as a guild with the stores of wealth acquired by the exercise of their craft' in the city of Daśapura under king Bandhuvarman. Afterwards under other kings part of this temple fell into disrepair. And then it was restored by the *same* guild, showing that this particular guild had quite a long life. It is also stated that this guild of silk-cloth weavers had emigrated from their native district and after various vicissitudes of fortune prospered sufficiently to be able to pay the cost of building that temple. Some of these weavers are also stated to have taken to other trades. This

shows once again the mobility of labour and the elasticity of occupations.[1]

In the Indor copper-plate inscription of Skandagupta (ibid., p. 71) a gift is recorded of a Brāhmaṇa who endowed a temple of the sun and transferred the temple-properties to a guild of local oil-men of the town of Indrapura on two conditions, viz. (1) that the guild should continue in complete internal concord and (2) that the guild should make a permanent arrangement to supply the temple daily with 'two *palas* of oil' If these two conditions were observed, even the withdrawal of the donees from that place would not deprive them of the possession of those properties.

Evidence of South Indian inscriptions.

It is interesting to find that very similar gifts are also recorded in some of the later South Indian inscriptions. A common form of pious offering consisted in the dedication of a lamp, i.e. providing for a continuous supply of oil or *ghī* for a lamp to be constantly burning before the image in the temple. In some of the Tanjore inscriptions we have mention of guilds of shepherds arranging it on receipt of the required sum of money or its equivalent value in sheep or cattle from the donor. The cost

Guilds as banks receiving permanent deposits and

[1] 'In A.D. 437 a colony of silk-weavers that had emigrated from Lāṭa or Southern Gujrat to Daśapura—now Dasor or Mandasor in Mālava—built there a temple of the sun and in A.G. 473 the same guild restored it' (Burgess, *Arch. Survey*, *W. Ind.*, vol. IX, p. 73).

of thus maintaining one sacred lamp was 96 ewes, or 48 cows, or 16 she-buffaloes. 'The shepherds who received the cattle, themselves and their people, viz. their relations and the relations of the latter, had to supply *ghī* to the treasury of the Lord, as long as the sun and moon endures, at the daily rate of one *urakku* of *ghī* . . . for each sacred lamp' (Hultzsch, *South Indian Inscriptions*, vol. II, part III, p. 251). Quite in accordance with the obligations of partnership indicated above, we find in another inscription[1] of Rājendra-Coladeva at Tanjore an agreement by which the entire guild binds itself to a contract executed on its behalf by an individual member of the guild for the supply of oil in perpetuity for a sacred lamp. The inscription runs as follows: 'We, all the following shepherds of this village . . . agree to become security for Eran Sattan, a shepherd of this village, (who) had received 90 ewes of this temple in order to supply *ghī* for burning one perpetual lamp. We shall cause the shepherd Eran Sattan to supply daily to one perpetual lamp one *ulakku* of *ghī*. . . . If he dies, absconds, or gets into prison, fetters (or) chains, we, all these aforesaid persons, are bound to supply *ghī* for burning the holy lamp as long as the sun and moon endure.' The inscription gives the name of the

holding them as trust-properties under legally worded agreements—the permanence of the deposit implied that of the institution.

[1] No. 18 in vol. II, part I, of Hultzsch, *South Indian Inscriptions*.

local merchant also who may have been the donor of the lamp.[1] The legal phraseology of the inscription is worthy of a modern corporate body, enumerating, as it does, the various conditions under which the responsibility of the guild is acknowledged. The length of the term contemplated for the contract shows the longevity of the institution, surviving the death of particular individual members and continuing its collective life throughout the changes in its personnel. It also appears that the guild served as a bank for the community, holding as trust-properties the religious benefactions of individuals who are assured of the permanent and perpetual contribution of their pious offering and worship by the comparatively immortal character of these institutions.

Guilds as banks in North Indian inscriptions.

Thus the guilds in their capacity as banks served to stimulate spiritual benefactions and pious gifts in the community. Their religious uses indeed seem to have been universally appreciated and taken advantage of. We have several inscriptions in Northern India to prove this. No. 12 of the Nāsik Cave inscriptions, assigned by Burgess to the time of the last Mauryas or the earliest Śuṅgas (about

[1] In this instance the gift is made on the joint and several responsibility of five other shepherds. In another, only two are deemed as sufficient security. In no. 18 (ibid. Vol. III, pt. I), ten other shepherds stand security for the gift.

second century B.C.), records how Uṣavadāta, son-in-law of king Nahapāna, 'has bestowed this cave on the *saṅgha* generally; he has also given a perpetual endowment, three thousand—3,000—*kāhāpaṇas*, which, for the members of the *saṅgha* of any sect and any origin dwelling in this cave, will serve as cloth money and money for outside life (*kuśaṇa*); and those *kāhāpaṇas* have been invested in guilds dwelling at Govadhana, 2,000 in a weavers' guild, interest one *pratika* (monthly) for the hundred (and) 1,000 in another weavers' guild, interest three-quarters of a *paḍika* (monthly) for the hundred; and those *kāhāpaṇas* are not to be repaid, their interest only to be enjoyed . . .' (*Ep. Ind.*, vol. VIII, p. 82). Here we have a reference to two guilds of weavers which, like banks, received permanent deposits which they held as trust-funds, the principal of which they were to keep intact and be responsible for, and might invest in their own way subject to that responsibility, as banks do with their deposits, but for the use of that money they had to pay interest at certain stipulated rates to the beneficiary named in the grant. The interest was to be paid to the monks for the purchase of new robes for them at the ceremony of robing held in the month of Śrāvaṇa and for their pocket-money. As the inscription puts it, 'Out of them the two thousand—2,000— at one *pratika* per cent. are the

cloth money; out of them to every one of the twenty monks who keep the *vassa* in my cave, a cloth money of twelve (*kāhāpaṇas*). As to the thousand which has been invested at an interest of three-quarters of a *pratika* (*paḍika*) per cent., out of them the money for *kuśaṇa* (very probably some kind of pocket-money)'. The rates of interest which these guild-banks paid on their fixed deposits were in the one case 12 per cent. per annum and in the other case 9 per cent. which, considering the prevailing rates charged by money-lenders in modern times, especially in rural areas, are not by any means exorbitant. The low rate of the interest in fact is an index at once of the security and stability of the banks, their efficiency, permanence, and prosperity, which attracted to them even royal deposits and benefactions.

Rates of interest on the fixed deposits.

Similarly, no. 15 of the Nāsik Series (ibid., p. 89) records how 'in order to provide medicines for the sick of the *Saṅgha* of monks, of whatever sect and origin dwelling in this monastery on mount Triraśmi, a perpetual endowment has been invested for all time to come with the guilds dwelling (at Govardhana), viz. in the hands of the guild of *Kularikas* (? = *kulāla*, *potter*), one thousand—1,000—*kārṣāpaṇas*, of the guild of *Odayantrikas* [? = *audayantrika* from *udaya-yantra*, i.e. workers fabricating hydraulic engines], two thousand, of the guild of . . . five hundred—500—of the guild of oilmillers (*tilapiṣaka*). . . .

One of the Junnar Buddhist cave inscriptions (Bühler–Burgess, *Arch. Surv. W. Ind.*, vol. IV, no. 24, p. 96) records the investment of the income of a field at Vaḍālikā for planting Karañja trees and of another field for planting banyan trees by the lay-worshipper Āḍuthuma, the Śaka, a member of the guild of the Koṇācikas.

Another inscription of the same series (no. 27) mentions the investment of money with the guild of bamboo-workers (*vasakāra*) and the guild of braziers (*kāsākāra*).

Other examples of gifts held by local bodies in South India.

It is, however, remarkable to find that the evidence regarding the guilds of these North Indian inscriptions is confirmed by more numerous South Indian inscriptions. The evidence of the latter is so full of new and interesting details that it is necessary to treat it at some length.

The evidence will show that the public benefactions in South India proceeded from both the guilds, i. e. the self-governing industrial corporations, and the assemblies or the administrative bodies.

Like the guilds in the North Indian inscriptions we have also guilds in the South making religious and secular gifts. No. 261 of the Madras Epigraphy Report for 1909 refers to the guilds of the oil-mongers of Kānchi and its suburbs and those of 24 *nagaras* who assembled in a meeting and decided to give away to the temple as *jātidharma* (i. e. as

a communal duty) the usual taxes on oil-mills in the temple premises together with some quantity or oil and a fee of one *kāśu* per oil-mill. This decision does not, of course, absolve them from their liability to Government to pay those taxes, but only implied an additional burden voluntarily imposed upon their resources. No. 442 of 1906 refers to the gift of another body of oil-mongers of a percentage on certain articles, such as female cloths, pepper, areca-nuts, thread, salt, grain, and horses in which the community probably dealt. We have also instances of gifts by merchant guilds. No. 40 of 1915 refers to a gift of voluntary fees for conducting the Śiva-rātri-festival of a temple by a guild of merchants. Nos. 377 and 378 of 1911 record gift of tolls by the merchant guild of Ayyavole. No. 439 of 1906 records a similar gift of what appears to be something like a Hanseatic League of merchants. 'The merchants of the Nāḍus, towns, hills, and five maṇḍalams and foreigners' make a gift of ¼ per cent. on the cost of all bags exported and imported at the port of Kistnapatam (Nellore District). No. 3 of 1910 (about 1200 A. D.) records gifts of another such league of merchants of eighteen towns both north and south of the Kāverī.

Variety of the gifts—sheep, gold, cows, land.

There are several inscriptions in the temples of the village called Tirunamanallur in the South Arcot district assigned to the tenth and eleventh centuries of

which no less than five supply the evidence we require (*Ep. Ind.*, vol. VII, pp. 132–8). Thus an inscription of Parāntaka I (A.D. 900–940) records the gift of two perpetual lamps with lamp-stands by a servant of his queen who gave for the purpose '90 undying and unaging big sheep' [which implies that 'those sheep which died or ceased to supply milk had to be replaced from among the lambs that had grown up in the meantime' (Hultzsch)], and the gift was placed under the protection of all Māheśvaras. The second records the gift of the queen of Rājādityadeva, son of Parāntaka I, of another sacred lamp for which she gave 100 undying and unaging big sheep and a lamp-stand weighing seventv *palam*. The third inscription dated in the seventeenth year of Kannaradeva, i.e. the Rāṣṭrakūṭa king, Kṛṣṇa III, records the gift of a perpetual lamp with lamp-stand by a chief of Milāḍu for which he gave 10 *kalañju* of gold to the village guild, the members of which entered into the following agreement, viz. 'Having received these ten *kalañju* of gold, we, the members of the assembly (*sabhā*) . . . shall have to bring every year 100 *nāli* of *ghī* and shall have to pour (it) out (i.e. measure it) by the *mādevi* (i.e. a measure called after the chief queen, *mahādevī*) as long as the moon and the sun shall last.' Another inscription, D (in the Śaka year 875) records a similar gift of lamp for which the donor

assigned 100 undying and unaging big sheep to the village assembly who 'having received these 100 sheep . . . shall have to pour out *ghī* to burn as long as the moon and the sun shall last'. The fifth (in the Śaka year 876) records a similar gift of lamp and sheep for which the villagers agree 'to pour out daily one *ulakku* of *ghī* by the *mādevī*'.

More interesting information is given by another series of inscriptions at Tirukkovalur (ibid., pp. 138–47). The first, dated in the seventeenth year of Vijaya-Nandivikrama [i.e. of the Gaṅga-Pallava king, Vijaya-Nandivikramavarman (assigned to the ninth century A. D.)], records the gift for one perpetual lamp to the god Perumal (usually Viṣṇu but here Śiva) of the Tiruvīraṭṭānam temple in a village of Ṃalāḍu of '15 *kalañju* of gold which was equal in fineness to the old *kāśu* (designation of some gold coin)' to a guild which entered into the following agreement :—

'We, the citizens of this place, have received these 15 *kalañju* of gold.

Out of the interest of this gold we, the citizens, shall have to pour out daily one *ulakku* of oil.'

Two other inscriptions (B and C) record gifts of 12 *kalañju* of gold 'out of the interest of which' the citizens engage 'to burn one perpetual lamp night and day'. D records a gift of 15 *kalañju* of gold for which the citizens 'shall cause to burn a perpetual lamp night and day at the rate of one

uri (of oil) per month for each *kalañju*'. This inscription, along with the first, helps us also to ascertain the rate of interest allowed by the village assemblies on the permanent deposit made with them, for it will appear that 15 *kalañju* of gold are expected to yield an income or interest equivalent to the value of 180 *uris* of oil per annum. E and F, however, repeat the gift in kind of the usual number of 100 big sheep perpetually renewed, instead of gold.

H deserves special notice, because it records some new forms of pious offering and service to the god, the donor giving 20 *kalañju* of gold 'for bathing the god at every *saṃkrānti*'. The details of the agreement entered into by the guild on receipt of the above deposit were as follows:—

'Having received these 20 *kalañju* of gold, we, the members of the assembly of . . . shall have to supply—at the rate of interest of one *kalam* per *kalañju*—20 *kalam* of paddy by the *perilamai* (measure), cleaning (it), defraying the cooly charge, conveying (the paddy) to the very court-yard of the temple, going (there) and measuring (it).

'To those (temple officials) who shall call for this paddy, we, the members of the assembly of . . . shall have to supply boiled rice after having identified (their) persons.

'The members of the assembly of . . . and the

members of the assembly of . . . have to measure 60 *kalam* of paddy by the *perilamai*.

'Having received these (60 *kalam*), (which are equal to) 75 *kalam* by the *kal* of 8 *nāli* [= $\frac{1}{12}$ *kalam* (Hultzsch)], and to 6 *kalam* and three *kuruni* per month . . . twenty (?) pots [evidently required for the bathing of the god which is the purpose of the grant according to l. 2 of the inscription (Hultzsch)].'

I records a gift of 24 sacred lamps[1] to be 'fed by the *ghī* prepared from the milk' of '2,304 undying, unaging big sheep' (the usual rate being 100 sheep to a lamp).

K (assigned to A. D. 1057–58) records a gift of two lamps. 'For feeding these lamps' the donor 'gave 64 undying unaging big cows. From these, one *uri* of *ghī* (has to be supplied) daily to (these) two lamps'. This is indeed a rare instance of a cow being given instead of the usual sheep of the inscriptions.

There are numerous other South Indian inscriptions which contain varieties of information on the

[1] No. 95 (*S. I. I.*, vol. II, pt. iv) indicates the motives that usually prompted these numerous gifts of perpetual lamps to temples through the donations of money, she-buffaloes, cows or ewes. They were sometimes genuinely religious and disinterested, but very often they were connected with secular interests such as desire for victory in the case of donors who were the generals and officers of the king, and such donors were numerous.

subject. We select some of those which contain typical pieces of evidence.

No. 85 (Hultzsch, *South Ind. Inscr.*, vol. I) refers to an 'assembly' (*sabhā*) which made the following written agreement: 'We have received twenty *karañjus*[1] weight of go d. . . . (From) the interest of these 20 *karañjus* of gold, we . . . the great people, who constitute the village-assembly of our village, shall measure and give every year 90 *kāḍis* of paddy, without breaking our promise (even) partially'.[2] Fragment no. 146 (ibid., p. 140) includes as a clause in the agreement the payment of a 'fine of a quarter *pon* daily' for non-fulfilment of the contract.

No. 6 (Hultzsch, *S. Ind. Inscr.*, vol. II, Part I) is a long and interesting inscription recording that Kundavaiyar (daughter of Parāntaka II) deposited certain sums of money (*kāśu*) which were subsequently

[1] A *karañju* contains 20 *mañjāḍis*, 1 *mañjāḍi* contains 2 *kunris*, and 1 *kunri* is equal to about 2 grains (Hultzsch, *S. Ind. Inscr.*, vol. I, p. 116).

[2] We may compare with this no. 176 of 1915 of Rājendra-Cola I where the gold coin *kāśu* is stated to be equivalent to 3 *kalañju* fetching an interest of 9 *mañjāḍi* per year, interest at 15 per cent. per annum (taking 1 *kalañju* = 20 *mañjāḍi*). It is also stated that paddy was sold at 40 *kāḍi* per *kalañju*. In the inscription no. 245 of 1915, about 20 years later, it appears that the rate of interest nearly trebled itself as 7½ *kalañju*, and 2 *mañjāḍi* fetched an interest of 3 *kalañju* and 8 *mañjāḍi*. The rate of exchange in paddy was 13½ *kalams* per *kalañju*.

borrowed on interest by certain village assemblies. The interest had to be paid yearly into the treasury of the Rājarājeśvara temple at Tañjavur [Tanjore] either in paddy or in money. In the former case the interest was three *kuruṇi* of paddy for each *kāśu*, and in the latter $12\frac{1}{2}$ per cent. ['12 *akkam* being reckoned as one *kāśu* . . . one eighth *akkam* per month should be paid as interest for each *kāśu*' (paragraph 20 of the inscription)]. If it is assumed that the rate of interest was the same in both cases, 1 *kalañju* = 2 *kāśu* one *kāśu* would correspond to the value of 24 *kuruṇi* or two *kalam* of paddy.[1] In two instances money was deposited for purchasing a number of the usual sheep from the milk of which a certain amount of *ghī* for lamps was to be supplied. The value of one sheep was reckoned as $\frac{1}{3}$ *kāśu* (one *urakku* of *ghī* being obtained from 76 sheep bought for 32 *kāśus* to keep 10 twilight lamps burning).

No. 9 (ibid., p. 92) refers to the practice of temple funds being put out at interest to meet the expenses of worship and the rate of interest payable by the guild-banks is the same as in no. 6. The same rate of interest on the deposits is repeated in Nos. 10–19.

[1] According to inscription no. 66 (Hultzsch, *S. Ind. Ins.*, vol. III, p. 136) one *kāśu* purchased about $2\frac{3}{4}$ *kalam* of paddy. In no. 57, however, we find that 1 *kāśu* corresponds to 4 *kalam* of paddy. This shows that the prices of grain must have varied considerably in different places and times.

No. 80 makes the rate of interest to be as high as 50 per cent.

No. 24 (ibid., Part II, p. 121), records two deposits of money, the first of which is made with 'the great citizens of the great market Tribhuvanamahādevī in Tanjore' who had to supply as interest cardamom seeds and *campaka* buds, and the second with a guild of villagers for supplying *khaskhas* roots. These three kinds of drugs were used for scenting the bathing-water of the temple-gods. The rate of interest is the usual rate stated in the previous records.

No. 25 mentions a new kind of pious offering to the temple. A deposit is made with a village, the interest of which is to ensure the beat of drum at certain festivals.

No. 26 requires the interest of the deposit to be paid in paddy and to be used for procuring various articles of consumption on 13 yearly provision days, and the interest of a second deposit to be paid in cash for purchasing camphor to be burnt before the images.

No. 27 requires the interest to be spent on camphor, also 'to be burnt instead of the wick in one perpetual sacred lamp'.

No. 28 requires the interest on the deposit to be used for feeding 10 Śiva-yogins on each of 24 festival days.

No. 35 records a deposit with 'a free village' of which the interest was to be paid in paddy.

No. 37 records a deposit with four markets (*bāzārs*) at Tanjore, which had to pay the interest in the shape of a daily supply of a fixed number of plantains for the god.

No. 1 (Hultzsch, *S. Ind. Inscr.*, vol. III, part I) records that a certain Brahmādhirāja deposited 200 *kalañju* of gold with the village assembly, which pledged itself to apply the interest of this sum to the feeding of 12 learned Brāhmaṇas, their dietary consisting of 1 *ālākku* of *ghī*, 5 dishes of curry, 2 areca-nuts, and betel-leaves.

No. 5 (ibid., p. 9) records the transfer of 1,000 *kāḍi* of paddy to the village assembly of Uṭkar, who pledged themselves to supply in return 500 *kāḍi* of paddy per year. Thus the deposit as well as the interest was paid in kind.

No. 6 mentions a village assembly assigning a daily supply of rice and oil to a temple.

No. 10 (ibid., p. 15) records that the village assembly of Ukkal sold 3,000 *kuli* of land and 5 water-levers to a servant of the king who assigned this land for the maintenance of two boats plying on the village tank.[1]

No. 14 (ibid., p. 21) records a cultivator's gift of

[1] A gift of two water-levers (*jala-yantra*) is recorded in the Udayendiram plates of Pallavamalla (ibid., vol. II, pp. 364 and 372). One of the Nāsik inscriptions states that Uṣavadāta established boats on which certain rivers could be crossed gratuitously (*Arch. Surv. W. Ind.*, vol. IV, p. 100).

some land from the proceeds of which the village assembly had to supply water and fire-pans, and to construct a water-lever in front of the cistern at a *maṇḍapa* frequented by Brāhmaṇas.

No. 28 (ibid., p. 57) mentions a village assembly receiving on interest 100 *kāśu* from a temple and 'giving against the interest accruing from these 100 *kāśu*' 2,200 *kuli* of land in exchange.

No. 31 (ibid., p. 73) records the gift of land and 'the gold necessary for making the land tax-free to a village assembly in order to provide processions on new-moon days out of its produce.

No. 44 (ibid., p. 96) records that a Brāhmaṇa paid 25 *kalañju* of gold to an assembly who pledged themselves to supply oil to a lamp in the temple, or, in case of default, to pay into court a fine of five *kalañju* of gold per day. A gift of 20 *kalañju* of gold for a similar purpose and on similar conditions is repeated in no. 46.

No. 47 (ibid., p. 100) repeats the same gift and conditions and the fine with the addition that, 'though fined the assembly shall (continue) to supply the ghee without fail'. No. 48 does the same for one camphor lamp and a perpetual lamp.

No. 64 (ibid., p. 134) introduces a new form of pious offering. An assembly sells for 240 *kāśu* a piece of land dedicated to the expenses of anointing the god.

No. 83 (ibid., p. 202) records the rare instance of a gift of 12 cows for the supply of three *ulakku* of *ghī* and 1 *nāli* of curds 'for offerings on those holy Sundays on which the god is carried outside for the *śrībali*'.

No. 85 (ibid., p. 209) records the gift of 32 cows for a lamp.

No. 280 of 1913 records the receipt by the assembly of a gift of land for the supply for the temple of 500 jack-fruits, 5,000 mangoes, and 5,000 plantains.

But besides receiving and managing the trust-properties of others, these popular bodies also endowed charities at the public charge. As instances we may refer to nos. 489–93 and 382 of 1907 registering gifts of land by the Sabhā, to nos. 51 and 52 of 1911 recording the gift of land by the assembly for the purpose of maintaining a garden to grow red lilies for the temple, to no. 69 of 1914 in which the Mahāsabhā makes a gift of tank for supplying red lotuses for the temple, or to nos. 195 and 196 of 1908 which are Cola epigraphs recording the gift of land by the assembly in charge of *grāma-kārya* (village affairs) to endow worship for the sake of the health and victory of the king—a rather rare object for such charities. The northern Mandasor inscription of Kumāragupta records a benefaction made by a guild.

§ 3

The North Indian evidence, valuable for its comparative antiquity, and its consequent anticipation of the growths reflected in the southern, is far more copious in its literary than in its epigraphic or monumental part. While the evidence as a whole is devoid of those definite and elaborate details by which we are enabled to draw a complete picture of the administrative machinery evolved and employed by local government in olden times, yet there is one unique feature in the northern material which gives us a valuable compensation for the deficiency, and serves to bring out the efficiency of the organization of these local bodies. That feature is the discovery of numerous seals and sealings issued by North Indian guilds or corporations in different localities and at various times. The earliest of these is a seal-die of terra-cotta discovered in the excavations conducted by Sir John Marshall at Bhīṭā, near Allahabad, on which he reads the legend *Śahijitiye nigamaśa*, 'written in letters of the third or perhaps fourth century B. C.' Sir John found the die at the foundation of a house which he accordingly designates as the 'House of the Guild', and remarks that 'the house in which the seal was discovered may mark the site of the office of the *igama* or corporation' (*Arch. Surv., Annual Report*, 1911–12,

One unique feature of the northern evidence besides the comparative copiousness of its literary part is the existence of guild-seals and guild-coins.

Examples of the finds of seals and sealings. At Bhīṭā.

Discovery of the house for the office of the guild.

p. 47). Four other sealings of guilds bearing the legend *nigama* or *nigamaśa* inscribed in Kuṣaṇa characters have also been discovered there, together with a fifth sealing bearing the legend *nigamasya* in northern Gupta characters.

At Vaiśālī (Basāṛh).

Similarly, the excavations at Basāṛh (identified with Vaiśālī) have brought to light many seals with inscriptions that connect them with the time of the Imperial Gupta kings, and 'the most numerous [class] among the seal inscriptions is that referring to the corporation or guild (*nigama*) of bankers (*śreṣṭhin*), traders (*sārthavāha*), and merchants (*kulika*).' It is invariably combined with other seals, giving the names of private individuals, who were themselves traders, merchants, or bankers, and probably were the members of those guilds. One person, Hari by name, styles himself as both *kulika* and *prathama-kulika*, i. e. the leader of merchants.

The numerous finds point to an ancient 'Chamber of Commerce' in Upper India.

'It looks as if during those days something like a modern chamber of commerce existed in Upper India at some big trading centre, perhaps at Pāṭaliputra' (Dr. Bloch in the *Arch. Survey, Annual Report*, 1903–4. p. 104). The discoveries included three specimens of seals bearing the legend *śreṣṭhi-kulika-nigama*, 'the corporation of bankers (and) merchants', and no less than 274 showing he legend *śreṣṭhi-sārthavāha-kulika-nigama* (or sometimes *nigamā*), i.e. the corporation of bankers,

traders, (and) merchants. The symbol added to these merchant guilds' seals has been described by Dr. Bloch as a money-chest, because in shape it resembles the money-bag held in front from which the attendant of Lakṣmī, very probably Kubera, throws down coins, as depicted on the seals of officials. Among the names of private persons who are associated with the seals of the guilds as their members may be mentioned Ajapāla, Āryyanandi, Bhavasena, Nāgasimha, Dharmmo-rakṣati-rakṣita, Ghoṣa, Gomikaputra, Harigupta, Varāhasya (genitive), Īśānadāsasya (genitive), Keśavadattasya (genitive), Lakṣmaṇa, Mātṛdāsa, &c. We have also a number of what may be called *kulika-* and *śreṣṭhi*-seals, i. e. seals issued by *kulikas* or merchants and *śreṣṭhins* or bankers, whose names are given on them, e. g. *kulika-Dhanasya*, *śreṣṭhi-Śrīdāsasya*, &c. Again, no less than sixteen specimens of a seal bearing the legend *śreṣṭhi-nigamasya*, (seal) of the guild of bankers were discovered by the excavations of Dr. D. B. Spooner, who is thus led to make the following remark: 'Banking was evidently as prominent in Vaiśālī as we should have expected it to be, judging from the notice in Manu to the effect that the people in Magadha were bards and traders' (*Arch. Surv.*, *Annual Report*, 1913–14, p. 122).[1]

The symbol of the seals.

[1] *Manu*, X. 47 mentions the Māgadhas as traders, not as bards. It may be interesting to note in this connexion that numerous

Variety of ancient guild-coins.

Besides seals and sealings the ancient Indian guilds also issued coinage, specimens of which, belonging to different periods, have been discovered in the process of archaeological exploration. On plate III of Cunningham's *Coins of Ancient India* (p. 63) are figured four coins from Taxila bearing the following obverse and reverse legends:

	Obverse	Reverse
No. 8	[? *T*]*ālima*[*ta*]	[*N*]*ega*[*m*]
„ 9	*Dujaka*	*Negamā*
„ 10	*Dojaka*	*Negamā*
„ 11	*A*[*taka* ?]*takā*	*Negam*[*ā*]

These coins seem to have been struck by the *negamā*

inscribed clay seals issued by the Buddhist Saṅghas or monasteries have been discovered. Thus in the excavations near Kasia Dr. Vogel brought to light no less than 464 seals bearing the legend *śrī-Mahāparinirvaṇa-vihare bhikṣusaṅghasya* with minor variations, which were used by the Convent of the Great Decease to seal their letters sent to another neighbouring monastery which has been traced in other nine seals. [See *Arch. Surv., Annual Report*, 1906–7, pp. 63–7.] The names according to Prof. Bhandarkar (*Carmichael Lectures*, p. 176) are those of towns which, from their issue of coins and seals, are to be taken to be self-governing, political bodies, and not mere industrial guilds. The inscription in cave no. 18 at Nāsik refers to the gift of a village by the citizens of Nāsik and this fact, according to him, further indicates the political character of the town corporation. He further points out (as has been already set forth in the previous pages) that corporations of Naigamas are mentioned in the *Vivādaratnākara* and by Yājñavalkya, and that the *Visuddhimagga* (ch. XIV) states that some 'Naigamas' and 'Gāmas' could issue money. The *Vivādaratnākara* explains *naigama* as a town corporation (*paurāṇāṃ samūha*) but the *Smṛti-Candrikā* as *sārthiko vaṇik* i.e. a merchant.

or guilds of the names[1] given, and were of the nature of 'mercantile guild-tokens'. The legends on the coins are 'in beautifully formed Asokan characters, both Gandharian [Kharoṣṭhī] and Indian. Over the word *negamā* there is a single stroke or bar, as if to designate one *negamā*. On the opposite side there is a "steel-yard" very clearly represented.' These coins are partly punch-marked silver pieces and partly single or double die copper pieces, all of the standard peculiar to India, anterior to the Greek conquest of Alexander, or, more correctly, 'the Greek conquest of Demetrius'. The inscriptions are partly in Brāhmī characters of the oldest type and partly both in Brāhmī and in Kharoṣṭhī letters, which fact points to the conclusion that they are not later than the third century B. C.[2]

§ 4

Comparison of northern and southern evidence.

Without multiplying further instances, those already adduced will make it quite clear that both

[1] Rapson (*J. R. A. S.*, 1900, p. 99) regards the names as those of the rulers of the guilds.

[2] Along with these guild-coins, we may note what Cunningham calls the 'autonomous coins of ancient India', i. e. those issued by the free clans or autonomous communities, such as the (1) *Odumbara* coins; (2) *Yaudheya* coins (with those of their chiefs Brāhmaṇa Deva and Bhānu Varma); (3) *Sibi* coins; (4) *Mālava* coins; (5) *Vaṭāśvaka* coins (probably connected with the Aśvaka tribe, the 'Assakenoi' of the Greeks, to which Rapson (*J. R. A. S.*, 1900, pp. 98–106) adds (6) *Uddehika* coins (third century B.C.); and (7) *Ārjunāyana* coins, related to the Yaudheya.

Points of agreement as regards banking functions and deeds for deposits.

North Indian and South Indian evidence agree remarkably in attributing to the guilds or assemblies banking functions[1] which were taken full advantage of by the public in making permanent religious endowments. Secondly, we have seen that according to both northern and southern evidence the deposits with the banks were made under proper deeds of agreement reciting the conditions under

[1] Some of the North Indian inscriptions show that these banking functions were also exercised to some extent by other kinds of corporate bodies than what are understood by guilds and assemblies. We have an interesting example of this in no. 62 in Fleet's *Gupta Inscriptions* which runs as follows:

'By the Upāsikā Harisvāminī, the wife of the Upāsaka Sanasiddha, for the sake of her parents, twelve *dīnāras* are given, as a permanent endowment, to the community of the faithful, collected from the four quarters of the world, at the holy great *vihāra* of Kākanādaboṭa. With the interest that accrues of these *dīnāras*, day by day one Bhikṣu, who has been introduced into the community, should be fed.

Also, three *dīnāras* are given in the *ratna-gṛha* (jewel-house). With the interest of these three *dīnāras*, day by day three lamps of the divine Buddha should be lit in the *ratna-gṛha*.

Also, one *dīnāra* is given in the place where (the images of) the four Buddhas are seated. With the interest of this, day by day a lamp of the divine Buddha should be lit in the place where (the images of) the four Buddhas are seated.

Thus this permanent endowment,—written upon stone (so as to endure) for the same time with the moon and the sun,—has been accomplished by the Upāsikā Harisvāminī, the noble lady, the wife of Sanasiddha.'

Thus the *Ārya-Saṅgha* or the community of the faithful received permanent deposits called *akṣaya-nīvī* of which the interest alone was to be appropriated for the charity, while the capital was to be kept intact. The inscription also shows that the provision of sacred

which they were held. In the concluding part of the Nāsik inscription cited above (no. 8, *Ep. Ind.*, vol. VIII, p. 83) we have the following sentence: 'And all this has been proclaimed (and) registered at the town-hall, at the record office, according to custom.' This suggests a double formality: first, the notification (*śrāvita*) of the gift, and, secondly, its registration (*nibaddha*). The endowment was recorded in the archives conformably to rule. But with regard to these legal details and formalities of the transactions the South Indian evidence is at once more abundant and explicit as we have already seen. It also introduces us to certain new and interesting features regarding the religious benefactions. In the first place these were, from the nature of the case, mostly for Hinduism rather than for Buddhism or Jainism. Secondly, the purposes of the grants were

An evidence as to registration and record office.

More legal and other details in the southern evidence.

Southern gifts mostly Hindu, northern Buddhist

lamps at shrines was by no means the exclusive characteristic of South Indian religious benefactions but had its earlier precedents in the north. There are several other Gupta Inscriptions recording similar benefactions. No. 5 records a permanent endowment for feeding Bhikṣus and maintaining a lamp, while nos. 7–10 record endowments in favour of almshouses for feeding Brāhmans.

Some of the Bhinmāl inscriptions (*Bombay Gazetteer*, vol. I, pt. I, App. iii) show the temples acting as banks in receiving permanent deposits to provide out of their interest the articles for worship specified by the donors. These articles comprised flowers for garlands, aloewood, wheat, ghee, leaves and betel-nut &c., required for the *naivedya* as also the engagement of singing women. The rate of interest allowed on the deposits is also indicated; in one case it was as high as 30 per cent. (no. VII), in another case only 12 per cent. (no. X).

Variety of sacred purposes of gifts in the north

both sacred and secular. In the northern inscriptions we have also two instances of the endowments being applied for the robes, pocket-money, and medicines of the monks, and of another for a perpetual sacred lamp. In the southern inscriptions we have several instances of endowments being offered for the support of Brāhmanas in the place of the Buddhist monks of the northern, while, as regards sacred purposes, we have many varieties recorded, besides

and in the south.

provision of the permanent lamp, viz., food for gods, anointing, processions on festival days, camphor lamps, beat of drum at festivals, scents for the bathing-water of the gods, and the like.

Examples of secular gifts in the south.

We have also two remarkable examples of secular charity, viz., provision of free ferry boats in a village tank, and of water, fire-pans, and a water-lever to a cistern for a Brāhmaṇa settlement.

The southern practice of paying gifts in kind.

Thirdly, the South Indian epigraphic evidence points to the extensive practice of making payments of charities in kind according to the convenience of the donors and also of the receivers of those trust-properties. The majority of the instances represents payment of the necessary value of the charity in sheep, but we find also a few instances of the payment in cows. There are many cases of payment in land or villages.

Diversity of rates of interest.

Fourthly, the rate of interest allowed on these religious deposits was not at all uniform. In some cases it was $12\frac{1}{2}$ per cent., and in a

few others as much as 50 per cent. No. 29 of 1893 records interest at 25 per cent., 179 of 1912 15 per cent., and 224 of 1903 20 per cent. The rate of interest in the northern inscriptions seems to have been slightly lower. It may be further recalled in this connexion that the guilds and assemblies received the gifts of others as trust-properties and made similar gifts themselves. Individual charity vied with the communal and collective charity. As bankers receiving public deposits of cash, and as trustees or administrators of trust-properties in various forms, these guilds and assemblies enjoyed a high degree of public confidence by the faithful discharge of their responsibilities and obligations. There was no abuse of their fiduciary ownership of the public funds accumulating in their hands. The efficiency of their organization is emphatically demonstrated by their longevity. They are trusted to provide for the purposes of gifts in perpetuity. They are made trustees even of royal gifts. Inscription no. 37 mentioned above (p. 108) records Rājarāja the Great depositing money with four bazars of Tanjore to maintain some temple charities of his. No. 26 of 1912 records how a king chooses to deposit 1,400 *kāśus* in trust with sixteen villages. Uṣavadāta, son-in-law of king Nahapāna, of a northern inscription trusts two guilds of weavers with his great gift of gold to be held for the beneficiary nominated by the

The credit of these rural banks.

donor. And, what is still more surprising and significant, the guilds allow themselves perfect freedom of migration as dictated by economic necessities, but this change of place does not affect in the least their distinctive corporate personality or individuality, their internal cohesion, or, what is more important, their *credit*, their legal relations and liabilities entered into in the localities from which they remove.

But these rural banks, besides receiving and paying interest on deposits, were also competent to borrow money at interest on occasions of necessity. Such occasions for borrowing are recorded, for instance, in the Southern epigraphs, nos. 397 of 1913 and 279 of 1909. In the one case the capitalist creditor was the temple itself, and in the other case an individual.

Their investments.

The question of payment of interest is connected with that of the investment of the moneys deposited. As may be naturally supposed, the moneys were invested in productive public works yielding a return more than sufficient to cover the stipulated interest on the deposits. As Venkayya points out (*South Indian Inscriptions*, Volume II, Part V, p. 19), 'in all probability the money thus borrowed was utilized in bringing waste lands under cultivation. From the produce of these lands the interest on the money borrowed was paid'. No. 214 of 1911 (a Cola epigraph of about 1050 A. D.) records the interesting instance of a gift of 100 *kāśu* to an assembly

which utilized the money in repairing damages caused to irrigation channels by the Kāveri floods. The interest payable on the deposit was at one *kalam* of paddy per *kāśu* to be paid for certain purposes of the temple (among which was included the exposition of the Śivadharma). The restoration of the damaged irrigation channels must have brought to the assembly an additional revenue from the water-rates and enabled them to discharge their liability in regard to the money thus utilized. Sometimes the deposits of the public were treated by the assembly as convenient sources of the capital or cash they needed to execute some urgent public works (not necessarily productive in their character) in the interests of the people. An instance of this is recorded in no. 284 of 1911 which registers the deposit of thirty *kalañju* of gold with an assembly that utilized the money to construct a bathing hall (*namanamantapa*). The purpose of the deposit was provided for by the assignment of land yielding the required income. Another method of investing the local funds was to deposit them with parties approved by the central government. According to Kautilya (IV. i), there was a special department of the central government consisting of three *amātyas* (ministers), or *pradeṣṭṛs*, to look after the interests of artisans (*kārukarakṣaṇa*; cf. also the evidence of Megasthenes), and the parties whom the guilds might trust with their deposits are

precisely defined, such as those who can meet their wants, who are themselves money-lenders, who enjoy their confidence and the like. The rule was also laid down that the guilds might get back their deposits in time of need.

Variety of Guilds in the north.

We may also note in this connexion the *variety* of guilds shown, especially in the northern evidence. We have references in the inscriptions to guilds of (1) weavers, (2) silk-cloth weavers, (3) oilmen, (4) oil-millers (*tilapiṣaka*), (5) potters, (6) braziers, (7) bamboo-workers, (8) ivory-workers, (9) shepherds (in the southern evidence), and (10) mechanicians [fabricating hydraulic engines, *odayantrikas* (connected with *udaya-yantra*)]. We may recall the Smṛti passage (*Gautama*, XI. 21) in which the different classes of guilds are broadly distinguished as those of (1) cultivators, (2) herdsmen, (3) traders, (4) money-lenders, and (5) artisans, each class having liberty to lay down its own laws to be respected by the king. Bṛhaspati (I. 26) adds to this list artists [e. g. painters (*citrakāra*) according to the commentator], dancers, religious orders (like the *Pāśupatas*), and even robbers who must adjust their disputes according to their own particular laws. Vyāsa adds the dyers (*raṅgopajīvins*).

Village assemblies recipients of gifts in the

In conclusion, it may be observed that the South Indian religious endowments were, as we have seen, mostly assigned or entrusted to village

corporations, the scope of whose functions and activities seems to have been much wider than that covered by the industrial guilds contemplated in the North Indian inscriptions (of which the precise scope is not ascertainable from the available evidence) and to have embraced the totality of the manifold interests of communal life. We now turn to the methods of administration of that life through the local bodies.

south, and not industrial guilds as in the north, whose precise scope is not ascertainable.

CHAPTER IV

LEGISLATION

Administrative functions of local bodies.

We have considered the industrial and commercial functions of the ancient Indian local bodies and shall now consider their legislative independence and activities. We have already seen that in our early literature, Vedic, Epic, and Pāli, these local bodies (for convenience termed guilds) already appear as developed institutions, possessed of a distinct organization of their own, claiming and commanding a recognized position of importance and influence in the state. That position, accordingly, we find well-defined in our later legal literature,[1] which recognizes their distinct, and practically independent, political status and also indicates their constitutional relations with the state. If the power of independent legislation is one of the criteria of an independent political status, it is amply fulfilled in the case of these local associations. They developed a distinct body of laws or by-laws to regulate their work and activities, the existence and authority of

Their power of legislation indicates their status.

Authority of their laws.

[1] See the treatment of Hindu guilds by Hopkins in his *India, Old and New*.

which are clearly affirmed and admitted by our law books. Thus Gautama[1] [about 500 B.C.] states (XI. 20): 'Laws of countries, castes and families which are not opposed to the (sacred) texts have also authority', to which he adds: 'Cultivators, traders, herdsmen, money-lenders, and artisans (have authority to lay down laws) for their respective classes' (XI. 21). He further states (XI. 22): 'Having learned the (state of) affairs from those who (in each class) have authority (to speak he shall give) the legal decision'.[2] This means, as Haradatta explains, that the king's legal decision must be given in accordance with that which is declared to be the established law in each community by its authorized and accredited spokesmen and representatives, who are entitled to define it on their behalf. Manu also is quite explicit on the point: 'A king who knows the sacred law must inquire into the laws of castes (*jāti*), and districts or peoples (*jānapada*), guild-laws, and family-laws'[3] (VIII. 41). Again, 'What may have been practised by the virtuous, and by such twice-born men as are devoted

Gautama.

Manu.

[1] देशजातिकुलधर्माश्चाम्नायैरविरुद्धाः प्रमाणम्। कर्षकवणिक्पशुपालकुसीदिकारवः स्वे स्वे वर्गे। [II. 2, 20. 21. Ānandāśrama ed.]

[2] तेभ्यो यथाधिकारमर्थान्प्रत्यवहृत्य धर्मव्यवस्था [II. 2, 22. ibid.].

[3] जातिजानपदान्धर्मान् श्रेणीधर्मांश्च धर्मवित्।
समीक्ष्य कुलधर्मांश्च स्वधर्मं प्रतिपादयेत्॥

to the law, that he shall establish as law, if it be not opposed to the laws of countries, families, and castes'[1] (VIII. 46). This shows that the king was bound to respect the laws of these various local bodies or groups and could not enforce his own law without reference to them—provided such local laws did not run counter to the sacred law. As 'laws of districts' the commentators instance those of the Kuru, Kāpiśa or Kāśmira countries or of the natives of different countries.[2] In the case of a conquered country the victorious king must also, according to Manu, make authoritative the lawful customs of the conquered just as they are stated to be[3] (VII. 203). The authority of local laws is also affirmed by Āpastamba[4] (II. 15, 1) and Baudhāyana[5] (I. 1, 2, 6). The opinion of Manu is reiterated by Vasiṣṭha[6] (I. 17): 'Manu has declared that the laws of countries, castes, and families (may be followed) in

Āpastamba, Baudhāyana, Vasiṣṭha.

सद्भिराचरितं यत्स्यात् धार्मिकैश्च द्विजातिभिः ।
तद्देशकुलजातीनामविरुद्धं प्रकल्पयेत् ॥

2 "कुरुकापिशकाश्मीरादिदेशो" (मेधातिथिः) ।
"यथा दाक्षिणात्यानां मातुलसुतापरिणयनम्" (कुल्लूकः), i.e. 'e.g. the marrying of the daughter of the maternal uncle as prevalent among the Dākṣiṇātyas (people of the Deccan).'

3 प्रमाणानि च कुर्वीत तेषां धर्म्यान् यथोदितान् ।

4 एतेन देशकुलधर्मा व्याख्याताः ।

5 तत्र तत्र देशप्रामाण्यमेव स्यात् ।

6 देशधर्मजातिधर्मकुलधर्मान् श्रुत्यभावादब्रवीन्मनुः ।

the absence of (rules of) the revealed texts.' Again (XIX. 7)[1]: 'Let the king, paying attention to all the laws of countries, castes, and families make the four castes (*varṇa*) fulfil their particular duties.' In this passage the word *jāti* is explained by one commentator as a tribe, to distinguish it from *varṇa*, meaning class or caste. The *Mahābhārata* (XII. 36, 19) has the utmost contempt for those who violate the laws of their caste or '*śreṇī*', country, or family. According to Kauṭilya (II. vii) the king's accountant must enter in his books the laws, the manners, and customs of castes, families, guilds, and localities.

It may be noted in this connexion that the authority of customs or local laws is recognized as early as the time of the *Ṛg-veda* which enjoins adherence to the usages of the forefathers (*Ṛv.* VIII. 30, 3). Thus the recognition of popular customs as a source of substantive law by the Smṛtis is based on the authority of Śruti. Hence Bṛhaspati (quoted in the *Vyavahāramayūkha*) expressly defines Vyavahāra or civil law as being 'the decision which is given according to the customs of the country (Deśasthiti) reasoning and the council of the Naigamas (the lay public)' Bṛhaspati calls this mode of decision

[1] देशधर्मजातिधर्मकुलधर्मान् सर्वानेवैताननुप्रविश्य राजा चतुरो वर्णान् स्वधर्मे स्थापयेत्।

caritra (usage). In fact an *ācāra* accepted by a community becomes its laws or Dharma.

The king's duty to enforce them.

But if the king had to respect the laws of the local bodies he had also to see that the members thereof observed their own laws, violations of which he was bound to punish. Thus Yājñavalkya says (I. 361): 'The king must discipline and establish again on the path (of duty) all such as have erred from their own laws, whether families, castes, guilds, associations, or people of certain districts.'[1] Viṣṇu (III. 2)[2] also holds that the duty of the king is to keep the four castes and the four orders in the practice of their respective duties. Nārada also has the same opinion (X. 2): 'Among heretics, Naigamas, guilds, corporations, troops or companies of soldiers, assemblages of kinsmen and other (associations) the king must maintain the usages settled among them, both in the fortified towns and in the open country'.[3]

Yājña-valkya.

Viṣṇu.

Nārada.

1 कुलानि जातीः श्रेणीश्च गणान् जनपदांस्तथा ।
स्वधर्मचलितान् राजा विनीय स्थापयेत् पथि ॥

2 प्रजापरिपालनम् वर्णाश्रमाणां स्वे स्वे धर्मे व्यवस्थापनम् ।

3 पाषण्डिनैगमश्रेणीपूगव्रातगणादिषु ।
संरक्षेत्समयं राजा दुर्गे जनपदे तथा ॥

The *Vyavahāramayukha* gives the following explanation of these terms; '*pāṣaṇḍins*, persons pursuing commerce and other occupations (*vāṇijyādi*) and deviating from the Vedic ways of life (*Veda-mārga-virodhinaḥ*); *naigamas*, those who do not act contrary to the Vedas; *śreṇi*, association of men belonging to different castes but following a common craft (नानाजातीयानामेकजातीयं

Lastly, Vasiṣṭha also holds that the king is to make the four castes or classes fulfil their respective particular duties (XIX. 7, quoted above).

Vasiṣṭha.

As a necessary corollary to the above power the king had the authority to enforce by means of adequate penal measures the due respect for guild-laws, guild-compacts, or contracts and agreements entered into by individual members with their associations. Manu (VIII. 221) says: 'A righteous king shall apply this law of fines in villages and castes (*jāti*) to those who break an agreement'.[1] Again (VIII. 219). 'If a man belonging to a corporation inhabiting a village or a district, after swearing to an agreement breaks it through avarice, (the king) shall banish him from his realm'.[2] The agreement is thus defined and explained by Bṛhaspati: 'When (the people of) a village or province execute a deed of mutual agreement, the purpose of which is not opposed to the interests of the king,

The king's duty to maintain their constitution, the violation of which was punished by deportation.
Manu.

Bṛhaspati.

कर्म कुर्वतां समूहाः श्रेणयः); *pūga*, association of men of both different castes and crafts (तेषामेव भिन्नजातीयं कर्म कुर्वतां समूहः); *vrāta*, association of kinsmen, connections or cognates, also termed *kula* (ज्ञातिसम्बन्धिबन्धूनां समूहः); *gaṇa*, a *federation* of all these associations, which is thus an assembly of a most composite character (एतेषां पाषण्ड्यादीनां व्रातान्तानां समूहः गणः ।).

[1] एतद्दण्डविधिं कुर्याद्धार्मिकः पृथिवीपतिः ।
ग्रामजातिसमूहेषु समयव्यभिचारिणाम् ॥

[2] यो ग्रामदेशसंघानां कृत्वा सत्येन संविदम् ।
विसंवदेन्नरो लोभात्तं राष्ट्राद्विप्रवासयेत् ॥

and in accordance with sacred law it is designated as a deed of agreement' (VIII. 9).[1] Again: 'A compact formed among villagers, companies of artisans and associations is called an agreement; such an agreement must be observed both in times of distress and for acts of piety' (XVII. 5).[2] The distress is defined (ibid. 6) as that due to fear of robbers and rogues [*cāṭa*, which means a 'cheat' according to Monier Williams quoting Yājñ. I. 335, but a 'soldier' in the phrase *cāṭabhaṭa* occuring in an inscription as explained by Fleet (*Gupta. Ins.* p. 98), and in the expression *cāra-bhaṭa* in *Harṣa-carita*, VII]. Such occasions call not for individual but for corporate action according to agreement.

Nārada.

Nārada also has the following: 'The aggregate of rules settled among heretics, followers of the Veda, (Naigamas), and others is called *samaya* (compact or established usage)' (X. 1).[3] It would thus appear that the agreement herein defined refers to the fundamental agreement on which the association rests, the basis or constitution of the guild, rather than to temporary and minor contracts, the deliberate transgression of the compact being visited

1 ग्रामो देशश्च यत्कुर्यात् सत्यलेख्यम्परस्परम्।
राजाविरोधि धर्मार्थं संवित्पत्रं वदन्ति तत्॥

2 ग्रामश्रेणिगणानां च सङ्केतः समयक्रिया।
बाधाकाले तु सा कार्या धर्मकार्ये तथैव च॥

3 पाषण्डिनैगमादीनां स्थितिः समय उच्यते।

accordingly with the exemplary punishment of banishment. Thus Viṣṇu says: 'He who violates their established rule shall also be banished' (V. 168).[1] Viṣṇu.
Yājñavalkya expressly lays it down as the duty of the king to keep the guilds to their constitutional pacts (II. 192).[2] Nārada likewise imposes upon the king the duty of having the constitution followed by the various public bodies. The constitution is to be regarded as specially binding and inviolate, because, as explained by Bṛhaspati (ibid. 9), it has to be agreed to beforehand by the members declaring their adhesion to it by the ordeal of sacred libation, (see *Nārada*, I. 327 ff.), or by their promise in writing or before Madhyasthas or arbitrators. Yājñavalkya

[1] तत् संविदं यश्च लंघयेत्।

[2] भेदं चैषां नृपो रक्षेत् पूर्ववृत्तिं च पालयेत्।

CHAPTER V

JUSTICE

Administration of justice.

Different courts and their gradation.

Bṛhaspati.

One of the most important functions of the local bodies was, of course, the administration of justice. According to Bṛhaspati 'Judicial assemblies are of four sorts: stationary, not stationary, furnished with the king's signet ring, and directed by the king. A stationary court meets in a town or village; one not stationary is called movable; one furnished with the king's signet-ring is superintended by the chief judge; one directed by the king is held in the king's presence' (I. 2-3).[1] The relations between these different kinds of courts of justice are thus indicated

Nārada.

by Nārada: 'Family meetings (*kula*), corporations (*śreṇī*), village assemblies (*gaṇa*), one appointed by the king, and the king himself are invested with the power to decide law-suits; and of these each succeeding is superior to the one preceding it in order'

[1] प्रतिष्ठिताप्रतिष्ठिता मुद्रिता शासिता तथा ।
चतुर्विधा सभा प्रोक्ता सभ्याश्चैव तथाविधाः ॥
प्रतिष्ठिता पुरे ग्रामे चला नामाप्रतिष्ठिता ।
मुद्रिताध्यक्षसंयुक्ता राजयुक्ता च शासिता ॥

(I. 7).[1] The significance of this passage from Nārada is thus brought out by the commentator Asahāya: 'A suit decided in a village goes on appeal to the city (court). What has been decided in the city (court) goes (on appeal) before the king (i.e. the king's court); but there is no appeal from the decision of the king, whether right or wrong.'[2] We are not, however, concerned with the higher or king's courts (forming the last two varieties in Bṛhaspati's classification of courts) but only with the lower and local or popular courts (the first two classes of courts mentioned by Bṛhaspati). These popular courts were, according to the Smṛtis, constituted by the *kula*, the *śreṇī*, the *gaṇa*, or the *pūga*. The gradation of the courts indicated by Nārada is also indicated by other law-givers. Bṛhaspati states: 'Relatives, companies (of artisans), assemblies (of co-habitants) and other persons duly authorized by the king should decide law-suits among men, excepting causes concerning violent crimes (*sāhasa*). Meetings of kindred, companies (of artisans) assemblies (of co-habitants) and chief judges are declared to be resorts for the passing of a sentence to whom he whose cause has been previously tried may appeal

Asahāya.

The three lower or local courts and their gradation.

Bṛhaspati

1 कुलानि श्रेणयश्चैव गणाश्चाधिकृतो नृपः ।
प्रतिष्ठा व्यवहाराणां गुर्वेभ्यस्तूत्तरोत्तरम् ॥

2 ग्रामे दृष्टः पुरे याति पुरे दृष्टस्तु राजनि ।
राज्ञा दृष्टः कुदृष्टो वा नास्ति पौनर्भवो विधिः ॥

in succession' This is further explained thus: 'When a cause has not been (duly) investigated by meetings of kindred, it should be decided after due deliberation by companies (of artisans); when it has not been duly examined by companies (of artisans, it should be decided) by assemblies (of co-habitants); and when it has not been (sufficiently) made out by such assemblies (it should be tried) by appointed

Yājña-valkya.

(judges)' (I. 28–30). Yājñavalkya (II. 30)[1] also mentions a similar gradation of local courts such as *kula*, *śreṇī*, and *pūga* arranged in the ascending order of importance, the *kula* being the lowest court composed of kinsmen for arbitration in small matters, from which an appeal lay to the next higher courts.

Mitākṣarā.

The *śreṇī* has been defined by the *Mitākṣarā*[2] as the court constituted by traders or artisans including men of different castes but pursuing similar means of livelihood, and the *pūga* as the court constituted by men of different castes and occupations but inhabiting the same village or town. It was ruled that if an appeal was lost the appellant must pay double what he was fined by the lower court. The meaning

The principle of the gradation.

given by the *Mitākṣarā* for the different courts

[1] नृपेणाधिकृताः पूगाः श्रेणयोऽथ कुलानि च ।
पूर्वं पूर्वं गुरु ज्ञेयं व्यवहारविधौ नृणाम् ॥

[2] पूगाः समूहा भिन्नजातीनां भिन्नवृत्तीनामेकस्थाननिवासिनां यथा ग्रामनगरादयः। श्रेणयो नानाजातीनामेकजातीयकर्मोपजीविनां संघाताः ॥

makes it clear that their gradation was determined by their numerical strength and the degree in which they represented the various interests, classes or castes in the community concerned. Thus the *pūga* was the highest court because it was numerically the largest assembly, on which were represented not merely the different castes, as in the *śreṇī*, but also the interests of different crafts, trades, or occupations in the village or township.

The principle underlying these lower and local courts has been admirably put by the *Śukranīti*. In cases of dispute the best men of the locality concerned can alone be the proper judges.[1] The application of the principle thus laid down is shown in the following passage: 'Foresters are to be tried with the help of foresters, merchants by merchants, soldiers by soldiers, and in the village by persons who live with both parties' (IV. 5. 24). This is indeed an echo of the earlier Smrti works. Bṛhaspati says: 'For persons roaming the forest, a court should be held in the forest; for warriors, in the camp; and for merchants in the caravan.' Again: 'Cultivators, artisans (such as carpenters and others), artists, money-lenders, companies (of tradesmen),

The principle of the local courts. *Śukranīti.*

Bṛhaspati.

1 अभियुक्ताश्च ये तत्र यन्निबन्धनियोजिताः ।
तत्रत्यगुणदोषाणां त एव हि विचारकाः ॥
आरण्यास्तु स्वकैः कुर्युः सार्थिकाः सार्थिकैः सह ।
सैनिकाः सैनिकैरेव ग्रामेऽप्युभयवासिभिः ॥

dancers, persons wearing the token of a religious order (such as Pāśupatas) and robbers should adjust their disputes according to the rules of their own profession.' Further: '(the king) should cause the disputes of ascetics and of persons versed in sorcery and witchcraft to be settled by persons familiar with the three Vedas only, and not decide them himself' (I. 25–7).[1] The same principle of neighbourhood and local knowledge is also recognized by Manu when he holds 'the indigenous (inhabitants of the country, be they) Kṣatriyas, Vaiśyas, or Śūdras' as being alone competent to give evidence (VIII. 62).[2] The principle was held to be essential in settling disputes regarding boundaries, on which the following rules are laid down: 'If there be no witnesses let four men who dwell on all the four sides (of the two villages) make a decision concerning the boundary' (VIII. 258).[3] 'The decision concerning the boundary-marks of fields, wells, tanks, of gardens and houses, depends upon (the evidence of) the

Manu.

[1] कीनाशाः कारुकाः शिल्पिकुसीदिश्रेणिनर्तकाः।
लिङ्गिनस्तस्कराः कुर्युः स्वेन धर्मेण निर्णयम्॥
तपस्विनां तु कार्याणि त्रैविद्यैरेव कारयेत्।
मायायोगविदां चैव न स्वयं कोपकारणात्॥

[2] गृहिणः पुत्रिणो मौलाः क्षत्रविट्शूद्रयोनयः।
अर्थ्युक्ताः साक्ष्यमर्हन्ति न ये केचिदनापदि॥

[3] साक्ष्यभावे तु चत्वारो ग्रामाः सामन्तवासिनः।
सीमाविनिर्णयं कुर्युः प्रयता राजसन्निधौ॥

neighbours (VIII. 262). On failure of the above kinds of witnesses 'the evidence even of the following inhabitants of the forest' was admissible on account of their local knowledge, viz., 'hunters, fowlers, herdsmen, fishermen, root-diggers, snake-catchers, gleaners, and other foresters' (ibid., 259. 260).[1] Yājñavalkya (II. 150–2)[2] has also the same regulation: 'In disputes relating to boundaries of land under cultivation persons residing in surrounding villages, aged men and other (competent persons), cow-herds, persons cultivating boundary lands and all persons who frequent the forest should determine the boundary.' Again: 'Or persons from neighbouring villages even in number—four, eight, or ten—should settle the boundary lines.' Finally, the *Kauṭilīya* (III. ix) will have all disputes regarding the boundary

Yājña-
valkya.

सामन्तानामभावे तु मौलानां सीम्नि साक्षिणाम् ।
इमानप्यनुयुञ्जीत पुरुषान्वनगोचरान् ॥
व्याधांश्छाकुनिकान्गोपान्कैवर्तान् मूलखानकान् ।
व्यालग्राहानुञ्छवृत्तीनन्यांश्च वनचारिणः ॥

विषकूपतडागानामारामस्य गृहस्य च ।
सामन्तप्रत्ययो ज्ञेयः सीमा सेतुविनिर्णयः ॥
सीम्नो विवादे क्षेत्रस्य सामन्ताः स्थविरादयः ।
गोपाः सीमाकृषाणा ये सर्वे च वनगोचराः ॥
नयेयुरेते सीमानं स्थलांगारतुषद्रुमैः ।
सेतुवल्मीकनिम्नास्थिचैत्याद्यैरुपलक्षिताम् ॥
सामन्ता वा समग्रामाश्चत्वारोऽष्टौ दशापि वा ।
रक्तस्रग्वसनाः सीमां नयेयुः क्षितिधारिणः ॥

between any two villages settled by neighbours or elders of five or ten villages, and disputes arising in the same village by the elders of the neighbourhood or of the village (*grāma-vṛddhāḥ*). It is also stated that all kinds of disputes shall depend for their settlement on the evidence to be furnished by neighbours. We may also cite the opinion of Vasiṣṭha: 'In a dispute about a house or a field reliance (may be placed on the depositions of) neighbours' (XVI. 13).[1] As explained by Kauṭilya the decision of these courts was that of the majority of the persons constituting the court.[2]

Kauṭilya.

Vasiṣṭha.

Procedure, evidence, and officers of the local courts.

The procedure and rules laid down for the administration of justice by the kings' courts also apply with some necessary modifications to the administration of justice by the local, popular courts. Thus regarding evidence, that to be used by the Pūgas, the Śreṇīs, the Gaṇas and other trades should be 'writing, and not an ordeal, or witnesses'. (*Vyavahāramayūkha* on Pramāṇa-nirūpaṇa). In regard to local disputes calling for witnesses, Nārada has the following: 'among Śreṇīs, the heads of Śreṇīs (Śreṇipuruṣa), among Vargas heads of Vargas (*varginaḥ*)'. Kātyāyana thus specifies the Vargins or heads of a Varga: 'The Liṅgins (persons wearing

[1] गृहक्षेत्रविरोधे सामन्तप्रत्ययः सामन्तविरोधेऽपि लेख्यप्रत्ययः ।

[2] क्षेत्रविवादं सामन्तग्रामवृद्धाः कुर्युः । तेषां द्वैधीभावे यतो बहवः शुचयोऽनुमता वा ततो नियच्छेयुः ।

a Linga or a symbol), the Śreṇīs, the Pūgas, and other communities of traders, so also members of other guilds (Samūhastha): these Bhṛgu calls Vargas. The term Vargin applies to the Nāyakas or leaders or foremen of the guilds (Samūhas), of Dāsas (slaves), the Cāranas (bards), the Mallas (wrestlers), those who live by driving of elephants, horses and carriages' (ibid.). The administration of justice requires, however, officers other than mere judges or assessors. Thus accountants and scribes were attached to the courts who 'know the principles of grammar, and have studied the lexicons (*śabdābhidhāna*), who were skilled in reckoning, who were pure, and who were acquainted with various scripts'. (Bṛhaspati quoted in *Vyavahāramayūkha*). According to Kātyāyana the accountants or auditors should be appointed from amongst the Vaiśyas. The accountant is 'to count the money'; the scribe 'to write the legal proceedings'. Vyāsa (quoted in the *Vīramitrodaya*) wants the *gaṇaka* to be well versed in Astronomy (with its three branches of Horā, Gaṇita, and Saṃhitā) and Vedic study (whence the Śūdra is excluded) and capable of inspiring complete confidence, while he wants the *lekhaka* to be truthful, free from greed and anger, incorruptible, of clear hand-writing and style of composition and having a mastery of words. Besides these officers of the judge's court, 'a truthful and confidential man should be appointed subject to

the authority of judges to summon witnesses, the plaintiff and the defendant, and to look after them' (Bṛhaspati, ibid.). This appointment seems to have been reserved for the Śūdra, for Vyāsa says; 'A stout Śūdra whose ancestors were employed in that office acting under the orders of the judges, should be made a *sādhyapāla* to obtain materials for trial.'

Their cognizance of criminal cases.

Kauṭilya.

The local courts took cognizance of both civil and criminal cases. In the *Kauṭilīya* there occurs a passage in which power seems to be given to the headman of the village to deport out of it criminals like a thief or an adulterer. In some of the South Indian inscriptions there are given interesting details regarding the administration of criminal law. Thus in no. 64 of 1900 (a Cola epigraph) we have the following: 'A certain individual shot [an arrow at] a man belonging to his own village by mistake. Thereupon the governor and the people of the district to which the village belonged assembled together and decided that the culprit should not die for the offence committed by him through carelessness.' He was not, however, allowed to escape scot-free, but was made to atone for his action by the penalty of providing for a perpetual sacred lamp at the temple, for which he had to assign sixteen cows to the village assembly. There are two other instances of similar trials connected with shooting accidents or unintentional homicide in which the assembly administered justice

South Indian inscriptions.

without troubling the governor, thus showing how the people 'played a more important part at such trials than even the governor himself'. No. 80 of 1906 records the suicide of a woman whom a village officer had put through an ordeal for her refusal to pay certain taxes for which she did not hold herself liable. A meeting of the people from 'the four quarters, eighteen districts and the various countries' was held. The officer was declared guilty and fined. No. 77 of 1900 relates the case of a man who, while hunting, missed his aim and killed a man, whereupon the assembly, without troubling the king's court or the governor, disposed of this case of accidental shooting by imposing a fine of sixteen cows to provide for a permanent light in the temple. No. 223 of 1902 records a gift, under similar circumstances, of forty-five sheep for a lamp, by the father of a boy of six years who accidentally killed another boy of seven years with his sickle in cutting wood. Two other Cola epigraphs, nos. 188 of 1906, and 257 and 352 of 1909 report similar cases of unintentional homicide similarly atoned for. No. 148 of 1906 reports an interesting case of a woman throwing a stick at her own daughter and accidentally hitting another girl who died on the twentieth day after the accident, whereupon the husband of the offending woman had to endow a lamp as the usual penalty. No. 91 of 1906 registers another tragedy :

a woman pushed by her husband fell and died, whereupon '1,500 men of the four quarters' declared him guilty in their assembly, and imposed upon him the usual gift as a penalty. Cases of accidental shooting in hunting are reported in nos. 33, 106, 273, and 279 of 1919 (App. C) and of causing accidental death in nos. 67 and 110. The judgment of the assembly in each case inflicted the usual penalty of providing for permanent lights in the temples.

CHAPTER VI

PUBLIC WORKS

Municipal functions of local bodies. The term '*samūha*'.

LOCAL bodies in ancient India had also their 'Public works' departments. They are termed *samūhas* for the purpose in some of the Smṛtis. For the proper discharge of civic functions and the administration of the various interests of municipal life, an agreement was drawn up in writing forming the Memorandum or Articles of the Association, the members of which were bound to fulfil their legitimate part in promoting the manifold public works necessary for communal welfare. Deliberate violations of the agreement were severely punished either by banishment or confiscation of property. An attitude of either passive indifference to the agreement, or of opposition to it, was also punished by a heavy fine. Those who created disunion in the association were similarly dealt with. According to the *Kauṭilīya Arthaśāstra*, 'Whoever stays away from any kind of co-operative undertaking shall send his servants and bullocks to carry on the work, and shall have a share in the expenditure but none in the

Bṛhaspati.

Kauṭilya.

profits' (II. i.).[1] The purposes for the promotion of which these municipal bodies were constituted embraced a wide area of useful activity which could not be left to the efforts of individuals, but was proper only for communal enterprise. They are thus enumerated by Bṛhaspati[2]: preservation and maintenance of public halls, temples, tanks, rest houses, wells for supply of drinking water to travellers, construction of water-courses and places of worship, protection against incursions of wicked people, and relief of the distressed. We thus find that these municipalities addressed themselves, not only to the ordinary material interests of communal life, such as sanitation and water-supply, but also to the interests of public and spiritual life by the provision of halls for public meetings and temples for public worship. They also organized the communal charities which embraced not merely the secular

Wide scope of the functions,

[1] सम्भूय सेतुबन्धादपक्रामतः कर्मकरबलीवर्दाः कर्म कुर्युः । व्ययकर्मणि च भागी स्यात् । न चांशं लभेत ॥

[2] सभाप्रपादेवगृहतडागारामसंस्कृतिः ।
तथानाथदरिद्राणां संस्कारो यजनक्रिया ॥
कुलायननिरोधश्च कार्यमस्माभिरंशतः ।
यत्रैतल्लिखितं सम्यक् धर्म्या सा समयक्रिया ॥

The *Viramitrodaya* thus explains the passage: सभा मण्डपः । प्रपा पानीयशालिका । आराम उपवनम् । संस्कृतिर्जीर्णोद्धारः । संस्कार उपनयनादिकः प्रेतदहनादिकश्च । यजनक्रिया सोमयागादिकर्तृभ्यो दानम् । कुलायननिरोधः कुलायनदुर्भिक्षादि आपगमपर्यन्तस्य धारणम् । There is another reading कुल्यायनविरोधः of which the meaning is कुल्यायाः प्रवर्तनप्रतिबन्धः.

relief of the poor in times of famine and other calamities (*kulāyana-nirodhaś ca*) but also their religious or spiritual ministrations, which included the performance of purifying rites for the destitute and poor, viz. arrangements for the cremation of dead paupers, distribution of gifts among people desirous of performing religious acts, &c. Thus the sphere of the administration of Poor Law was widened so as to bring within its compass provision for the spiritual necessities in the life of the destitute as fixed by their Śāstras. In another passage Bṛhaspati includes financial support in aid of the idiot, the infirm, the blind, the orphan, the distressed, as also diseased persons and women among the legitimate purposes to which an association could apply its public fund. We should also note that the interests of strangers were not ignored.

including relief of economic and spiritual distress.

Finally, it should be observed that the legitimate activities and functions of the municipalities were not rigidly and strictly restricted within the limits of the agreement aforesaid, but that those bodies were allowed freedom of action against emergencies, provided such action was not contrary to their constitution (see *Yājñavalkya*, II. 186).[1]

Their emergency powers.

The duty of the village, with reference to construction and maintenance of the village public works is

Public works in a Jātaka.

1 निजधर्माविरोधेन यस्तु सामयिको भवेत् ।
सोऽपि यत्नेन संरक्ष्यो धर्मो राजकृतश्च यः ॥

clearly indicated in the following extract from a Jātaka (I. 199):

'In a village there were just thirty families, and one day the men were standing in the middle of the village transacting the affairs of the village. They, doing good works, always in the Bodhisatta's company, used to get up early and sally forth, with razors and axes and clubs in their hands. With their clubs they used to roll out of the way all stones that lay on the four highways and other roads of the village; the trees that would strike against the axles of chariots, they cut down; rough places they made smooth; causeways they built, dug water tanks, and built the hall; they showed charity and kept the commandments. In this wise did the body of the villagers generally abide by the Bodhisatta's teaching and keep the Commandments.'

We have here in this short paragraph a most graphic and complete account of the evolution through all its stages of a village built up by the communal labour of its inhabitants. We may notice how the assembly hall of the village figures prominently in its public works as being the indispensable material requisite for the growth and sustenance of that larger public spirit or civic consciousness, which builds up the village itself.

Irrigation works in

Much interesting evidence is supplied by South Indian inscriptions as regards one branch of

South Indian inscriptions. Compulsory labour.

public works, viz. the irrigation works. For this purpose compulsory labour seems to have been employed by the assemblies in the interests of the community.[1] The indigenous irrigation system comprised generally tanks and channels, which were built partly by individual benefactions and partly by communal enterprise. In any case, the duty of maintaining and keeping them in repair came to be recognized by custom as falling upon the village community. Accordingly most of the inscriptions deal with the means employed for repairing them and keeping them in proper condition after they were constructed. The commonest kind of repair which we find mentioned as being necessary was the removal of accumulated silt. Towards this provision was made for the supply of boats, of baskets in which to lift the earth, of labourers, of skilled workmen to take care of the boats, and of fishermen to provide certain kinds of necessaries. As regards actual examples of such works of olden times, we find two tanks in the Chingleput district of the Madras Presidency mentioned in inscriptions of the eighth and ninth centuries A. D. There is other epigraphic and literary evidence which carries back the existence of irrigation works to still more

Their origin and maintenance.

[1] Even the central government sometimes exploited compulsory labour for its own purpose. The great temple of Tanjore, for instance, was built largely by forced labour.

Summary of facts. The history of a famous tank.

remote times. An interesting summary of the facts set out in the inscriptions is given by Mr. Venkayya in the *Arch. Surv. Report* for 1903–4. The most famous tank seems to have been Vayiramega-taṭāka at Uttaramallūr in the Chingleput district. An inscription (ibid., p. 204) records the provision in the form of an endowment made by a private individual for removing silt in the tank, which was accepted by the village assembly. Another states that, certain ryots having failed to pay the dues on their holdings, the village assembly paid the amount for them and took over their land for the benefit of the tank for three years. If at the end of that period the defaulters should return and pay up all their dues, they were to get back the land; otherwise it would be sold for the benefit of the tank. If any man of Uttaramallūr objected to this course, his land was to be sold similarly and the sale proceeds credited to the tank, while the man himself was to be dealt with as an enemy of the village (*grāma-kaṇṭaka*). If an arbitrator objected he should be banished from the village. There are seven more records which relate to the same tank and express the care of the community for it and the widespread appreciation of its value. The earliest of them registers a transaction relating apparently to another tank, and imposes on those who violate it a fine to be credited to the funds of the

Variyamega tank. The next records a gift of land, and the third a gift of gold accepted by the assembly for the removal of silt during three months of the year. The fourth registers a gift of gold and paddy by a private donor, from the interest of which the assembly had to meet the cost of removing silt for two months. The next two refer to a gift of 200 *kalañju* of gold, the interest from which, amounting to 30 *kalañju* per year, was to be spent annually in removing silt from the tank and depositing it on the bund by the village assembly, who expressed their gratification at this charitable act of the donor, and exempted him from payment of certain taxes. It is interesting to note that the rate of the interest is definitely stated in this record, viz. 15 per cent. per annum, which is higher than the rate usually stated in the inscriptions mentioned above. The last, but not the least interesting, record registers a permanent deposit of 100 *kalañju* of gold with the assembly, from the interest of which they had to provide for the up-keep of a 'second boat' on the tank to be employed in removing silt. Every day a certain specified extent of the tank was to be cleared and the mud deposited on the bund.

Sluices.

A tank with a sluice is mentioned in an inscription in North Arcot district which records a gift of land, the income from which was to be spent in removing silt from a second tank in the same village. Those

who look after the gift are assured of acquiring the merit of performing a horse sacrifice! One of the Ukkal inscriptions (Hultzsch, *S. I. Ins.*, vol. III, Part I, p. 9) has the following: 'We, the assembly, shall close (the sluice of) the tank (to collect water for irrigation) and shall cause 500 *kāḍi* of paddy to be supplied as interest every year on these 1000 *kāḍi* of paddy. The great men elected for the year shall cause (the paddy) to be supplied.' The rate of interest in this record is 50 per cent. per annum. Nos. 82 and 84 of 1887 mention gifts of sluices for tanks. No. 295 of 1909 (a Cola epigraph) relates how the assembly and the temples jointly excavate a tank with a sluice, the former giving land and the latter money.

Some Cola tanks.

Coming to the times of the Colas we find stated in an inscription of the twelfth year of the reign of King Parāntaka I (= A. D. 919) that a donation of gold made by one of the king's officers for feeding Brāhmaṇas was utilized by the 'tank supervision committee' to pay the wages of the workmen employed to remove silt in the 'big tank of our village' (named Kāveripāk). The tank must have been built long before A. D. 919.

Most interesting details are given by two inscriptions at Naṅguvaram, assigned roughly to the time of Prince Ariñjaya, son of Parāntaka I, i. e. about the middle of the tenth century A. D. One of them

records a sale of land during the reign of the Cola king Rājakesarivarman by the village assembly to a private person on account of the boat plying in the tank. The second furnishes details as to how the income from this land was to be spent. The boat was to be employed for clearing the tank of silt. The operation is fully described—140 baskets of earth, each with capacity to hold 6 *marakkāl* (i. e. about 200 cubic feet) of earth, were to be taken out of the tank and deposited on the bund daily. The establishment comprised a supervisor who received the wages of 1½ *kuruṇi* of paddy *per diem*, and under him 6 labourers who were full-time workmen, and therefore paid higher wages, viz. 1 *padakku* of paddy per head *per diem* for both food and clothing; a carpenter and a blacksmith for repairing the boat, each of whom got annually 2½ *kalam* of paddy; and the fishermen (number not mentioned) who supplied wood for repairs to the boat and got 2 *kalam* of paddy annually. The village assembly had to have the land cultivated and to pay for the whole process out of the income. If they failed to do it, the then reigning king could fine them and get it done (compare other grounds of state-interference with the local bodies given above). Altogether the total annual expenditure for the operation amounted to 412 *kalam* of paddy.[1]

Gift of a boat for clearing the tank of silt.

Details of the operation and the establishment employed.

Wages of labourers.

[1] 1 *kalam* = 12 *marakkāl* or *kuruṇi*; 1 *padakku* = 2 *kuruṇi*. Thus the supervisor, carpenter, and blacksmith received less wages

An inscription of Rājarāja I mentions a 'big tank' at Bāhūr, near Pondicherry, where the villagers agreed to contribute towards the maintenance of the tank. The tank committee of the assembly levied the contributions and undertook annual removal of the silt. Any villager refusing to pay had to pay a fine to be credited to the tank-fund under king's orders. An Ukkal inscription [see p. 150 above] refers to the sale of some land to a private person by the village assembly, who were to provide out of its income for the up-keep of two boats assigned to a tank. The boats were probably meant not only for crossing purposes, as

A gift of two boats for a tank.

than the labourers. Inscriptions of the Cola king Rājarāja I (A.D. 985–1018) give the rates of wages paid to the various kinds of labourers employed on the temples at Tanjore. '50 *kalam* of paddy was given annually to each drummer and barber; 75 to each under-carpenter and under-accountant; 100 to each of the following, viz. watchmen, dancing girls, washermen, tailors, braziers, and superintending goldsmiths; 150 to a master carpenter; 175 to a lute-player, 200 to the accountant and dancing master. Brāhmaṇa servants got 1 *padakku* of paddy per day, and a *kāśu* annually, while vocalists who had to sing hymns were paid 3 *kuruṇi* per day. Paddy seems to have been sold at the rate of 2 *kalam* per *kāśu*, while the rate of interest was, as we have seen above, 12½ per cent. For 1 *kāśu* 3 sheep could be bought, while 1 she-buffalo was exchanged for 3 cows or 6 ewes; 1200 plantains could be had for 1 *kāśu*.' In another inscription (*S. I. Ins.*, vol. II, pt. III, p. 259) the wages are indicated in shares of land: thus, a jewel-stitcher got 1½ share, brazier 1 share, master-carpenter 1½ share, superintending goldsmith 1 share, and so forth, and the comparison of these rates with the above will show that 1 share of land probably yielded 100 *kalam* of paddy annually.

explained by Dr. Hultzsch (*S. I. Ins.*, vol. III, p. 15), but also for the usual work of removing the silt. No. 23 of 1893 mentions the imposition by the tank committee of an impost on betel-leaf sellers in order to construct a tank-bund.

Tanks in the Kanarese country.

We need not refer to the irrigation works mentioned in the later Cola, Pāṇḍya, and Vijayanagara inscriptions, but we may notice some in the Telugu and Kanarese countries. These are 'the great tank, a reservoir for the supply of abundant water' built at Tālagunda in the Shimoga district of Mysore by the Kadamba king Kākusthavarman in the first half of the sixth century A. D. (*Ep. Ind.*, vol. VIII, p. 36); another at Chikballapur in the Kolar district mentioned in a record of A. D. 977–8 (no. 126 of 1892); and another with a sluice constructed at Sindhuvalli in the Mysore district in A. D. 1106–7 during the reign of the Cola king Kulottuṅga I (no. 3 of 1895). Several inscriptions at Bāgali in the Bellary district record gifts made to the 'big tank' for repairs, &c.

Examples of irrigation channels.

Some irrigation channels are mentioned in the inscriptions, e. g. the Uyyakkoṇḍān in Trichinopoly district of the time of Rājarāja I, the head-sluice of the Periyavāykkāl in the same district, built of stone during the reign of Rājarāja II, about A. D. 1219.

Gifts for tank-bunds.

Remedies against breaches in tank-bunds and

other similar accidents beyond human control were generally provided by private charity. Thus in A.D. 1189–90, for instance, heavy rains caused breaches in the tank at Somaṅgalam (Chingleput), which were repaired by a chief. There were two breaches next year also repaired by him, but he then made a money endowment, from the interest of which the assembly agreed to carry out the instructions of the donor by depositing a certain specified quantity of earth on the bund annually (no. 183 of 1901). No. 214 of 1911 gives another instance of repairs of damages to irrigation channels caused by the Kāverī floods. No. 417 of 1912 records a private donation by which a bank of stone was constructed and the head of an irrigation channel renovated. No. 404 of 1911 records the meeting of the assembly of a Nāḍu to levy an impost on each village to construct an embankment against the floods.

The duty of local bodies to maintain irrigation works,

From the evidence adduced above it is clear that tanks, sluices, and irrigation channels were always maintained by local bodies though their construction was often due to private or royal benefactions.[1]

[1] The motive for such benefactions was sometimes connected with the prevailing belief that the spirit of a dead man is consumed by extraordinary thirst, and that it has to be appeased by charities of a watering-shed, well, or tank. An instance of this is mentioned in a record of the time of Rājarāja I (see *Mad. Ep. Report*, 1914), and another in the twenty-sixth year of his reign recording a gift of land for maintaining a watering-shed in order that the thirsty spirit of his

The maintenance of tanks chiefly meant the periodical removal of its silt, and the work devolved upon the municipal department—or rather 'the tank committee'—of the village assembly, who were put in charge of endowments of both money and land for the purpose by private donors. We have also seen that preservation of tanks was regarded as a religious work, bringing great spiritual merit to the man providing for it. Tanks themselves, like temples, had endowments of land or money of their own, and the repairs were enacted at the expense of these endowments. In the Kanarese country the term *koḍagi* denotes a grant of land rent-free for the purpose of service in connexion with the restoration or construction of tanks or of their maintenance in good order (*Ep. Ind.*, vol. III, p. 51). In the absence of suitable endowments or private charity the assemblies themselves offered land from the culturable wastes of the village as an inducement to undertake such works, and where such wastes were not available, and private enterprise and charity failed, they themselves undertook them at the joint

sister, the deceased queen Vīramahādevī (evidently the wife of King Rājendra-Cola I) might be appeased (*Mad. Ep. Report*, 1916, p. 118). No. 422 of 1915, however, quotes the words of the *Mahābhārata*, stating that the person in whose tank the thirsty cows, beasts, birds, and men drink water obtains the fruit of performing the Aśvamedha-sacrifice, thus expressing probably the true motive of these secular charities.

expense of the villagers, who all benefitted by same. Thus probably arose the custom of *kuḍimarāmat* in Southern India, by which the employment of compulsory labour for repairs to irrigation works is sanctioned.

and roads.

The village public-works also included the public roads, the maintenance of which was one of the duties of the assembly. This is clear from no. 9 of 1898 which reports 'that a certain road in the village of Uttaramallūr had been submerged under water (probably owing to heavy rain) and became unfit to be used even by cattle. Consequently, the village assembly decided that the road should be widened. Accordingly land had to be acquired by purchase from the ryots of the village. The duty of acquiring the land and making the new road was assigned to the "garden-supervision" committee.'

CHAPTER VII

CONSTITUTION AND ADMINISTRATION

§ 1

MACHINERY

Administrative machinery of local bodies.

WITH regard to the actual administrative machinery evolved or adopted by these local bodies we have to depend upon the evidence of the later Smṛtis such as those of Bṛhaspati, Nārada, and Yājñavalkya. According to Bṛhaspati they are to be governed by a board of from two to five persons selected from the best men of the community. Says he: 'Honest persons, acquainted with the Vedas and with duty, able, self-controlled, sprung from noble families, and skilled in every business, shall be appointed as heads of an association' (XVII. 9).[1] Again, 'Two, three, or five persons shall be appointed to look after the welfare of the association (XVII. 10).[2] These executive officers were called

Constitution and powers of the Executive.

1 शुचयो वेदधर्मज्ञा दक्षा दान्ताः कुलोद्भवाः ।
सर्वकार्यें प्रवीणाश्च कर्तव्याश्च महोत्तमाः ॥

2 द्वौ त्रयः पञ्च वा कार्याः समूहहितवादिनः ।

samūha-hita-vādinaḥ and *kārya-cintakāḥ*. According to Yājñavalkya these governors should be well-grounded in religion (as embodied in the Śrutis and Smṛtis), pure in body and mind, and free from avarice (II. 191).[1] They were entitled to the obedience of the members of the corporation. The king was required to enforce their authority by penalty, and the disobedient member was fined by the first amercement. But their authority thus binding on the assembly was also respected by the king himself. As Bṛhaspati states, 'Whatever is done by those (heads of an association) . . . must be approved by the king as well, for they are declared to be the appointed managers of affairs' (XVII. 18).[2] This is certainly an advance upon the earlier law on the subject. In the case of disputes, however, between these heads and their associations it is ruled that the king shall act as the umpire between them and bring them back to their duty (XVII. 20).[3] Lastly, the heads of associations themselves were also authorized to mete out punishment to all offenders in the guild, whom they could censure, reprimand,

Yājñavalkya.

1 धर्मज्ञाः शुचयोऽलुब्धा भवेयुः कार्यचिन्तकाः ।
कर्तव्यं वचनं तेषां समूहहितवादिनाम् ॥

2 तैः कृतं यत्स्वधर्मेण निग्रहानुग्रहं नृणाम् ।
तद्राज्ञाप्यनुमन्तव्यं निसृष्टार्था हि ते स्मृताः ॥

3 मुख्यैः सह समूहानां विसंवादो यदा भवेत् ।
तदा पिचारयेद्राजा स्वधर्मे स्थापयेच्च तान् ॥

and ultimately forsake (XVII. 17).[1] It should also be noted that, as the appointment of these officers vested with the public bodies, so also did the power of punishing them. Their decisions regarding them were formally notified to the king who enforced them, if they could not.

The awards of the Executive ultimately enforced by the king.

Sir Henry Maine stated that 'in the almost inconceivable case of disobedience to the award of the village council the sole punishment or the sole certain punishment would appear to be universal disapprobation' (*Village Communities in the East and West*, p. 68). But we have seen from the above evidence that the authority of the local bodies was ultimately not merely maintained by the moral sanction of the public opinion of the community, but was also enforced by the legal sanction of punishment inflicted by the king.

Evidence of South Indian inscriptions.

This is clear from the evidence of certain South Indian inscriptions, in one of which, of about A.D. 1230, a village assembly decides that any one going against the interests of the village 'should suffer as the *grāma-drohins* do' (*Madras Epigraphy, Annual Report*, 1910–11, p. 75). This means that injuring the interests of the community is treated as treason against the commonweal and punishable like treason against the king (*rāja-drohin*). The same signifi-

1 कुलश्रेणीगणाध्यक्षाः पुरदुर्गनिवासिनः ।
वाग्धिग्दमं परित्यागं प्रकुर्युः पापकर्मिणाम् ॥

cance is borne by the term *grama-kaṇṭaka* ('a village pest') in the Uttaramallūr inscription (*Arch. Surv. of India*, 1904–5, p. 144).

Composition of the Executive not exclusively Brāhmaṇa. Representation of all the twice-born classes.

Manu.

As regards the composition of these administrative boards we have some interesting evidence in some of the Smṛtis. Thus Manu states: 'Whatever an assembly, consisting either of at least ten, or of at least three persons who follow their prescribed occupations, declares to be law, the legal (force of) that one must not dispute' (XII. 110).[1] Again: 'Three persons who each know one of the three principal Vedas, a logician, a Mīmāṃsaka, one who knows the Nirukta, one who recites (the Institutes of) the sacred law, and three men belonging to the first three orders shall constitute an assembly consisting of at least ten members' (XII. 111).[2]

Gautama.

Gautama also makes the same statement: 'They declare that an assembly (*pariṣad*, shall consist) at least (of) the ten following (members, viz.) four men who have completely studied the four Vedas, three men belonging to the (three) orders enumerated first, (and) three men who know (three) different (Institutes) of law' (XXVIII. 49).[3] Similarly,

1 दशावरा वा परिषद्यं धर्मं परिकल्पयेत् ।
त्र्यवरा वापि वृत्तस्था तं धर्मं न विचालयेत् ॥

2 त्रैविद्यो हैतुकस्तर्की नैरुक्तो धर्मपाठकः ।
त्रयश्चाश्रमिणः पूर्वे परिषत्स्याद्दशावरा ॥

3 चत्वारश्चतुर्णां पारगा वेदानां प्रागुत्तमास्त्रय आश्रमिणः पृथग्धर्मविदस्त्रय एतान्दशावरान्परिषदित्याचक्षते ॥

Baudhāyana: 'Four men who each know one of the four Vedas, a Mīmāṃsaka, one who knows the Aṅgas, one who recites (the works on) the sacred law, and three Brāhmaṇas belonging to three different orders constitute an assembly consisting of at least ten members' (I. 1, 1, 8).[1] The three different orders in the above passages mean those of the student, the householder, and the hermit, or according to some commentators, the ascetic, because hermits (*vānaprasthas*) cannot serve as members of *pariṣads*, as they live in the forest, while professed students are included because 'they are declared to be particularly holy in the *Dharmaskandha-brāhmaṇa*' (Bühler, *S. B. E.*, vol. XIV, p. 144 n.). Secondly, it is to be noted that all the three twice-born castes, the Brāhmanas, Kṣatriyas and Vaiśyas, were represented on these assemblies, but the representatives must be such as 'follow the prescribed occupations for the caste they belong to, as laid down by Manu. It would, therefore, be a mistake to suppose that the Hindu law-givers made the assemblies exclusively Brāhmaṇa in their composition. If there is any doubt on the point the following passages from Āpastamba will serve to clear it up. He says: 'It is difficult to learn the sacred law from (the letter of) Baudhāyana. Āpastamba.

1. चातुर्वैद्यं विकल्पी च अङ्गविद्धर्मपाठकः ।
आश्रमस्थास्त्रयो विप्रा पर्षदेषा दशावरा ॥

the Vedas only): but by following the indications it is easily accomplished. The indications for these are: 'He shall regulate his course of action according to the conduct which is unanimously recognized in all countries by men of the three twice-born castes who have been properly obedient (to their teachers), who are aged, of subdued senses, neither given to avarice nor hypocrites' (II. 11, 29, 13–14).[1] Thirdly, the number of the assembly varies from ten to three according to Manu (XII. 110 and 112).[2]

The evidence of the Smrtis is confirmed by that of some inscriptions in South India. These mention assemblies which appear to have consisted of 'all the residents of a village including cultivators, professionals, and merchants' (*Madras Epigraphy Report*, 1912–13, p. 98).

Similar composition in a South Indian inscription.

Brāhmaṇa assemblies in the Smṛtis. Their origin and duties.

Some of the Smṛtis refer to assemblies of Brāhmans, but these were created by the king (*rājakṛta*) and not by the public bodies (*samūhakṛta*). It was the practice of the king in early times to

[1] कृच्छ्रा धर्मसमाप्तिस्समाम्नानेन। लक्षणकर्मणा तु समाप्यते। तत्र लक्षणम्। सर्वजनपदेष्वेकान्तसमाहितमार्याणां वृत्तं सम्यग्विनीतानां वृद्धानामात्मवतामलोलुपानामदाम्भिकानां वृत्तसादृश्यं भजेत। एवमुभौ लोकावभिजयति॥

[2] दशावरा वा परिषद्यं धर्मं परिकल्पयेत्।
त्र्यवरा वापि वृत्तस्था तं धर्मं न विचालयेत्॥
ऋग्वेदविद्यजुर्विच्च सामवेदविदेव च।
त्र्यवरा परिषज्ज्ञेया धर्मसंशयनिर्णये॥

establish in every city with gifts of free quarters and rent-free lands, a body of learned Brāhmans with a prescribed course of duties, mainly religious.[1] The Brāhman assembly thus constituted had primarily to attend to the moral and spiritual welfare of the people, besides observing their own duties (*svadharmaḥ pālyatām*), to assist them in the discharge of their daily, occasional, and optional religious duties, to officiate at ceremonies undertaken with a view to averting providential visitations and ensuring public peace and prosperity, and to give authoritative decisions on doubtful points.[2] But the assembly was also entrusted with certain other secular duties embracing some of the important interests of communal life, such as protection of grazing grounds and water courses, looking after temples and places of public worship and the like. A passage in the *Vīramitrodaya* adds the further duty of feeding people found in a helpless condition in the city, and of preventing the export to foreign

Yājña-valkya.

Bṛhaspati.

Vīramitro-daya.

1 राजा कृत्वा पुरे स्थानं ब्राह्मणान्न्यस्य तत्र तु ।
त्रैविद्यं वृत्तिमत् ब्रूयात् स्वधर्मः पाल्यतामिति ॥
(Yājñavalkya)

वेदविद्याविदो विप्रान् श्रोत्रियानग्निहोत्रिणः ।
समाहृत्य स्थापयेत् तत्र तेषां वृत्तिं प्रकल्पयेत् ॥
अनाच्छेद्यकरास्तेषां प्रदद्यात् गृहभूमिकाः ।
मुक्तभाव्यांश्च नृपतिर्लेखयित्वा स्वशासने ॥—(Bṛhaspati)

नित्यं नैमित्तिकं काम्यं शान्तिकं पौष्टिकं तथा ।
पौराणां कर्म कुर्युस्ते सन्दिग्धेऽर्थे च निर्णयम् ॥—(Bṛhaspati)

countries of such goods as may endanger the interests of the community.[1]

The Brāhmaṇa assemblies of South Indian inscriptions.

The Sabhās or assemblies of the South Indian inscriptions were also generally to be found in *Brahmadeya* (that is, Brāhman) villages and were almost entirely constituted by Brāhmans. The rules laid down in the famous Uttaramallūr inscriptions of the time of Parāntaka I (*Arch. Surv. of India*, 1904–5, pp. 131–45) for membership on village committees—rules to which we shall refer below—appear to apply purely to such Brahmanical Sabhās.

It has already been made clear that the evidence derived from South Indian inscriptions is far more copious and elaborate than that from the northern. The evidence of the south brings out the fact that the village assemblies of ancient India had developed a considerable differentiation of functions and also different organs for the exercise of each function. As has been already pointed out, it is not quite clear from the northern testimony of both literature and inscriptions how far the same assembly

[1] निजधर्माविरोधेन यस्तु सामयिको भवेत्।
सोऽपि यत्नेन संरक्ष्यो धर्मो राजकृतश्च यः॥

(*Yājñavalkya*, II. 186).

The *Viramitrodaya* thus explains: "गोप्रचारोदकरक्षणदेवगृहपालनादिरूपः" And again: "यावत्पथिकं भोजनं देयं, अस्मद्रातिमण्डले तुरगादयो न स्थापनीया इत्येवं रूपः॥"

exercised a multiplicity of functions, administrative, judicial, municipal, and the like, or whether there were developed differently constituted and composed bodies to administer the different interests of communal life. So far as the purely judicial functions were concerned, the evidence of the Smṛtis set forth above probably points to the growth of independent institutions for the purpose, but no such definite opinion can be pronounced in respect of the other functions. The gaps and deficiencies of the northern evidence are, however, supplied and made good by the southern, which is remarkably rich in details such as enable us to form a clear idea of the structure of the local government, its organs and functions, the character of the administrative machinery devised as a whole, as also of its different parts.

The structure of local bodies. Deficiency of northern evidence.

The evidence dates from the ninth century A.D. The group of 'Ukkal inscriptions' first supplies definite details on the subject. The village of Ukkal was governed by an assembly sometimes called Sabhā and sometimes Mahāsabhā. The Sabhā is mentioned for instance in inscriptions nos. 85, 110, 111, 146 and the like in *South Indian Inscriptions*, vol. I. The Mahāsabhā is mentioned in no. 42 (ibid.). The main or central assembly was subdivided into several committees, the total number and designations of which have to be gathered from

Abundance of southern evidence. The Assembly and its various committees Ukkal inscriptions

various inscriptions of different times. An inscription of the Gaṅga-Pallava king Kampavarman (ninth century A. D.), for instance, registers an endowment accepted by the assembly who appoint 'the great men elected for the year' (i. e. of the annual committee) as trustees of the endowment (no. 5, ibid.). The same committee is referred to in inscription no. 7 and also in nos. 11, 12, 13. No. 14 states: 'The great men who manage the affairs of the village in each year shall supervise this charity', viz. the grant of land by a cultivator named Śenai from the proceeds of which water and fire-pans had to be supplied to a *maṇḍapa* frequented by Brāhmaṇas. The next committee mentioned is that of 'the great men in charge of the tank'. No. 6 in recording the grant of an assembly of a daily supply of rice and oil to a temple states that 'the great men elected for (the supervision of) the tank shall be entitled to levy a fine of (one) *kalañju* of gold in favour of the tank-fund from those betel-leaf sellers in this village who sell (betel-leaves) elsewhere than at the temple of Pidāri.' The tank committee is also mentioned in nos. 11 and 12. No. 13 mentions 'the great Bhaṭṭas elected for the tank'. The third committee mentioned is that formed by those in charge of the gardens in no. 12. The Ukkal inscriptions also show that the transactions of the assembly were put in writing by an

officer who had the title 'arbitrator', *madhyastha*, mentioned in nos. 2, 3, 6, 10, and 12, and who is once called 'an accountant', *karaṇattan* (no. 10).

But the most considerable clear light on the system of rural administration in ancient times is thrown by the two famous inscriptions in the Vaikuṇṭha-Perumāl temple at Uttaramallur, assigned to the tenth century A. D. In the first place, they speak of a number of committees, to each of which they apply a different designation to indicate roughly the sphere of work allotted to it. Secondly, they indicate the method of selection of committee members. Thirdly, they lay down the qualifications determining the eligibility for selection as a committee member. Fourthly, they enumerate the classes of disqualified persons. Fifthly, they lay down the conditions for the appointment of the accountants.

The copious evidence of Uttara-mallūr inscriptions.

The number and names of the various committees are thus given:

Number and names of committees of the assembly.

(1) *Annual Committee* (*samvatsara-vāriyam*): this seems to have been the most important, influential, and dignified of all the committees. This is evident from the fact that the election of this committee precedes that of all other committees, and also from the characterization of its personnel. Only 'those who had (previously) been on the "garden committee" and on the "tank committee", those who are advanced in learning, and those who are advanced

Annual committee.

in age shall be chosen for the "annual committee".' Thus the annual committee was constituted by the cream of the community, men of ripe old age, mature wisdom, experience in administration, and possessing culture and learning. The number of the committee was fixed at twelve. There are other inscriptions which also give the same number, e. g. no. 263 of 1912. The committee is also called the committee in charge of the 'annual village work' (*samvatsara-grāma-kāryam*) in nos. 467, 472 and 475 of 1912, a designation which also points to its superior status among the other committees.

Garden committee.

(2) *Garden Committee*: the number of this committee was likewise fixed at twelve.

Tank committee.

(3) *Tank Committee*: the number of members was six. The duties of this committee are apparent from the name. They are indicated in detail in numerous inscriptions, some of which have been already cited. The committee were entrusted by the general assembly with all endowments made in favour of tanks in the shape of grants of land, and they had to invest money endowments in the best possible way [see *infra*, § 2]. They utilized the deposits of money in reclaiming waste land and cultivating it in order to pay out of the produce the interest on the deposit. They had also apparently to look after the cultivation of lands granted to tanks. The income from both these

sources was applied to meet the expenses of the annual or occasional operation of the removal of the silt of tanks and of other necessary repairs to breaches of bunds and to boats employed on the tanks. They had to levy the fines which were to be credited to the tank-fund. Endowments for watering sheds to supply drinking water to thirsty wayfarers were apparently entrusted to them (see no. 75 of 1898). Sometimes we find the tank committee being appointed to look after the gifts of lamps to temples (as in no. 685 of 1904). One inscription even makes only Bhaṭṭas or learned Brāhmaṇs members of the tank committee (No. 13 of *S.I.I.*, Vol. III., pt. 1).

Gold committee.

(4) *Gold Committee*: the number of members was fixed at six. This committee probably regulated the currency.

Pañca-vāra committee.

(5) *Pañca-vāra Committee*: the number of this also was six. The following note by Venkayya (with slight verbal changes) will explain its character and function: 'Professor Kielhorn translates *pañca-vāra* by "committee of five" [*Ep. Ind.*, vol. V, p. 138, note 7]. But, as the number of members of this committee is fixed at six, this translation cannot be accepted. Perhaps it supervised the five committees (*pañca-vāra*) of the village. It is possible that originally there were only five committees in a village, and that the work of

Views about its functions.

these was supervised by the *pañca-vāra* committee. In the Telugu country it appears to have been a special honour to be placed on this committee, and this honour was probably due to its supervising the work of the other committees. Later on, the number of village committees seems to have been increased, and there appear to have been more than five committees. Even after this alteration the original name *pañca-vāra-vāriyam*, given to the supervising committee, probably was retained unaltered' (*Arch. Surv. Report*, 1904–5, p. 145).

The above interpretation of Mr. Venkayya may need to be reconsidered in the light of inscription no. 131 of 1912, which includes the *pañca-vāra* among various kinds of taxes or dues payable on land by the tenants who cultivated them, so that *pañca-vāra-vāriyam* may have been the committee appointed to collect the *pañca-vāra* dues of the village payable in kind.

nittee tice.

(6) *Committee for the supervision of justice*: the duty of this committee seems to have been, as its name indicates, to 'supervise the justice' or fairness of the annual elections of the various committees. The inscription (Uttaramallūr, B. in *Arch. Surv. Report*, 1904–5, p. 144) states: 'For appointing the committees after these have retired the members of the "committee for supervision of justice" in the twelve streets (of Uttaramallūr) shall convene

an assembly (*kuri*) with the help of the arbitrator.' Thus this committee convened the annual meeting of the assembly and conducted the elections of the various committees whenever they were necessitated by vacancies caused in them by removal of members 'found guilty of offence'. No rules are laid down for the constitution of this committee as a separate body. Probably it was part of some other committee. In view of the qualifications for membership of the annual committee such as seniority and learning, it may be inferred that the magistrates and judges of Uttaramallūr were probably recruited from this committee.

Methods of election of the committees.

Next, as to the method of selection of members for the various committees. The village with its twelve streets was divided for purposes of the selection into thirty wards or electoral units. There was a meeting of each ward at which the residents were to assemble, and each of them was required to write down on a ticket the name of the person he voted for after consideration of his eligibility for membership of the committee as defined by the regulations framed by the assembly. The tickets were then to be arranged in separate packets corresponding to the thirty wards. Each packet bore the name of the ward it represented on its 'covering ticket'. The packets were put into a pot. Then the pot was placed before 'a full meeting of the great

assembly, including the young and old (members) as also all the temple priests who happened to be in the village on the day "without any exception whatever" in the inner hall (where) the great assembly (meets).' 'In the midst of the temple priests, one of them who happens to be the eldest shall stand up and lift that pot, looking upwards so as to be seen by all people.' One of the young boys who did not know what was inside was then called to pick out one of the packets. The tickets in this packet were then 'transferred to another (empty) pot and shaken', i. e. shuffled thoroughly. The boy then drew one ticket out of the pot and made it over to the arbitrator (*madhyastha*). 'While taking charge of the ticket thus given (to him), the arbitrator shall receive it on the palm of his hand with the five fingers open. He shall read out (the name on) the ticket thus received. The ticket read (by him) shall also be read out by all the priests present in the inner hall. The name thus read out shall be put down (and accepted).' Thirty names were thus to be chosen, representing each of the wards.

It will appear from the above description of the procedure of the election that the people of the whole village regarded themselves as vitally interested in its purity and success, on which depended so largely their common welfare. The weak point in the

system, however, was that the method of selection was simply the mechanical one of casting lots instead of voting by ballot, and the consequent process of elimination of names according to the number of votes secured by each. There was universal suffrage, but the democratic principle was not followed up in its complete consequence. Probably the conformity to the conditions of eligibility for membership produced for all practical purposes approximate uniformity of competence and capacity in the persons named on the voting papers or tickets, so that there was not much to choose between them. On the other hand, the method of casting lots would give no scope to canvassing and other electioneering methods of doubtful utility and ethical value. The conditions of eligibility were a sufficient safeguard against the return of a really undesirable person, and the necessary eliminations they involved would leave but very little chance of any undesirable result. It is significant that the priesthood occupied a dignified position in the meeting of the general assembly, and that their oldest member was chosen as the president of the meeting. The part given to the young is also interesting. The union of God-fearing age with unsophisticated youth must have been naturally productive of the happiest results and preventive of all foul play.

The inscription goes on to say: 'Of the thirty

men thus chosen those who had (previously) been on the garden committee and on the tank committee, those who are advanced in learning, and those who are advanced in age shall be chosen for the annual committee. Of the rest, twelve shall be taken for the garden committee, and the remaining six shall form the tank committee. These (last) two committees shall be chosen by "showing the *karai*" (i. e. apparently an oral expression of opinion or "selection by acclamation",' as is done even in modern meetings when there is no ground for any special objection to the names suggested). The tenure of office of these elected members of the three committees was 'for full 360 days', after which they had to retire. During the period of his incumbency, if any one who is on the committees is found guilty of any offence, he shall be removed at once.

The meeting for the annual election of these committees was to be convened, as has been already stated, by the committee for the supervision of justice with the help of the arbitrator.

The annual retirement and fresh election of the annual committee is also mentioned in no. 92 of 1914 (a Cola epigraph). Another Cola epigraph, no. 262 of 1912, refers to the further rule that this annual election was to be held in the Tulā month when the official year of the village may be thus supposed to end.

For elections to the *pañca-vāra* and gold committees a similar process was gone through for the selection of thirty names for each of the wards. 'From these thirty twelve men shall be elected. Six out of twelve thus chosen shall form the gold committee, and the remaining six the *pañca-vāra* committee.' Since the selection by drawing lots of only twelve men out of thirty would inevitably result in the elimination of eighteen wards from representation on those important committees, it was enacted that in future elections 'the wards which have been already represented on these committees shall be excluded and the selection made from the remaining wards by "drawing the *karai*"'

Thirdly, as to the qualifications for membership. The following qualifications are to be possessed by a member to be eligible for nomination by his ward, viz. Qualifications for membership.

(1) He must own more than a quarter (*veli*) of tax-paying land. [*Veli* = 5 acres (Winslow).]

(2) He must live in a house built on his own site.

(3) His age must be below 70 and above 35.

(4) He must know the *Mantra-Brahmaṇa*,[1] i.e. he must know (the Veda) 'by teaching'; or, according to Venkayya, 'both the *Mantras* and the *Brāhmaṇas*'.

[1] Prof. A. Berriedale Keith in a letter to me states that 'the term is sometimes applied to the Chāndogya work, the main body of which is the Chāndogya Upaniṣad.'

(5) If he owns only one-eighth of land, he must be proficient in one Veda and one of the four *bhāṣyas* by explaining (it to others).

(6) He must be conversant with business.

(7) He must be virtuous, and his earnings must be honest.

(8) He must not have been on any of the committees for three previous years. This rule, as has been already stated, does not apply to the election to the annual committee, for which the previous membership of the garden and tank committees with the necessary administrative experience it implied, was regarded as a qualifying requisite.

Disqualifications.

Fourthly, as regards disqualified persons. These comprised the following descriptions of persons:

(*a*) Defaulting committee members (i.e. those who have not submitted accounts) and their relations, however remote, who are thus specified, viz. (1) the sons of the younger and elder sisters of his mother; (2) the sons of his paternal aunt and maternal uncle; (3) the uterine brother of his mother; (4) the uterine brother of his father; (5) his uterine brother; (6) his father-in-law; (7) the uterine brother of his wife; (8) the husband of his uterine sister; (9) the sons of his uterine sister; (10) the son-in-law who has married his daughter; (11) his father; (12) his son.

(*b*) Incorrigible sinners and their relations, how-

ever remote. These sinners comprise those against whom are recorded 'the first four of the five great sins', viz. (1) killing a Brāhmaṇa; (2) drinking intoxicating liquors; (3) theft; (4) adultery with the wife of one's spiritual teacher: and (5) associating with any one guilty of these crimes (*Manu*, XI. 55). The relations comprise those enumerated above.

(*c*) Outcasts until they perform the necessary expiatory ceremonies, provided the cause of the outcasting consists only in association with low people, and not in any serious moral lapse.

(*d*) Those who are mentally or morally disqualified.

(*e*) Those who are themselves disqualified but do not transmit their disqualification to their relatives. This class includes those who have (1) taken forbidden food of any kind [which is equivalent to drinking intoxicating liquor according to Manu (XI. 57)]; (2) committed sins [notably those specified in (*b*) above]; (3) become village pests; and (4) committed incest; and even though they may, by the proper performance of the necessary expiatory ceremonies, prevent the transmission of their own disabilities to their relatives, they will themselves remain disqualified. Expiatory ceremonies might remove religious but not civic and political disabilities of persons guilty of grave offences, social, political, and moral.

With regard to the *pañca-vāra* and gold committees, which perhaps were not annually appointed, two additional disqualifying circumstances are introduced, viz. (*a*) riding on an ass [which was a common punishment for offences against chastity, and hence implied a conviction disqualifying the candidate; Manu (XI. 202) holds driving in a waggon drawn by an ass as a sin]; (*b*) committing forgery, which was no doubt a special disqualification in regard to membership of a currency committee.

In the above description of the qualifications for membership the age restriction, the educational and property qualifications laid down and the principle of membership by rotation are noteworthy items acceptable even to modern administrators.

Strict qualifications are also laid down for the post of the village-accountant: 'Arbitrators and those who have earned their wealth by honest means shall write the accounts (of the village). One who has been writing the accounts shall not be appointed to that office again until he submits his accounts (for the period during which he was in office) to the great men of the big committee (in charge) of the accounts and is declared to have been honest. The accounts which one has been writing he shall submit himself, and other accountants shall not be brought to close his accounts.

The earlier of the two Uttaramallūr inscriptions

shows certain interesting points of difference from the later one. These are:

(1) The age limit of membership is between thirty and sixty. Probably the age limit was raised in the later inscription to secure a higher level of efficiency and sense of responsibility in the committees. It may be remembered that these elaborate regulations for rural administration were, according to the inscriptions, laid down in order that 'wicked men might perish, while good men might prosper.' This object could be realized only by imposing strict limitations upon the eligibility of membership of the committees. Youth and wickedness might easily go together. The age limit was also an antidote to youthful recklessness and extremism affecting administrative work.

(2) The exemption, granted in clause (5) in favour of learned men, from the operation of the rule as regards property qualification in clause (1) of the qualifications, is omitted in the later record.

(3) As regards disqualifications, the earlier record has only the following:—

'Those who are not near relatives of members who have just retired from these committees shall be appointed.' The wording of this rule makes it too sweeping in its operation. It was probably due to the fact that the administration was brought into disrepute by the out-going committee members, and

accordingly those who were associated with them were also barred out. The operation of this rule, combined with that of clause (8) of the qualifications, must have had the effect of limiting so much the area of eligible membership that it would be difficult to exclude some of the wicked men themselves from the committees. Hence this rule was omitted in the later inscription.

(4) The later record excludes such near relatives of members as have been found guilty, and also specifies the relatives.

(5) The earlier record does not also specify the delinquencies which mark out 'wicked men'.

(6) The following clause finds no place in the later inscription: 'For committees other than that of annual supervision no one shall be appointed who was once a member'.

The rule that members comprising the committees should change every year is very sound in principle and wholesome in its effects. After the expiry of three years since he last held office, a person might have 'his name written on the pot-ticket and put into the pot'. If he was, however, selected, he would not be allowed to serve on the committee of which he was previously a member, but would be transferred to some other committee. The annual change of office-bearers opens out opportunities to every qualified man in the village of being associated with

its administration and acquainted with all its details and facts. Thus in the course of time the general assembly of the village would be practically made up of these ex-administrators, and be consequently competent to exercise a very wholesome supervision over its several committees for executive work, the efficiency of which was already secured by rules that would exclude incompetent, ignorant, irresponsible, dishonest and wicked men.

The evidence of other inscriptions on the assembly and its committees.

We have now considered the evidence of important groups of epigraphic records which give details about the number, composition, and constitution of the various committees through which the assembly administered local affairs. But it should be noted that the number of committees of such village assemblies does not seem to have been the same everywhere. The number seems to have varied with local conditions. No. 688 of 1904 furnishes the names of the following committees, viz. (1) the great men of the wards committee, (2) the great men of the fields committee, (3) the great men (numbering) two hundred, (4) the great men of the village committee, and (5) the great men of the *udāsīna* committee. These together with the learned and other distinguished men of the village are to constitute the village assembly. No. 393 of 1905 mentions the annual garden and tank committees; no. 395 mentions the wards and tank

committees; the tank committee (*eri-vāriyam*) is again mentioned in no. 396. Again no. 262 of 1913 mentions another committee in each village, the land-survey committee, which had to classify lands according to their yielding capacity, and also to measure them. This committee was useful in connexion with the survey of land by government, as carried out, for instance, in the seventeenth year of Rājarāja I (*Mad. Ep. Rep.*, 1912–13, p. 96) and in the sixteenth of Kulottuṅga I (no. 317 of 1913 in *Report* for 1913–14, p. 37). The extent, ownership, assessment, classification of land (no. 262, ibid., stating eight classes of land), &c., were to be noted in the village and temple registers by specially appointed clerks, and both such registration and possession were deemed essential to establish ownership. No. 269 of 1912, as well as no. 38 of 1911, similarly mentions a committee to supervise cultivation and collect the produce called *ūrvāriyam*, while no. 257 of 1912 mentions *amṛtagaṇattār* and *gaṇapperumakkal*, as names of assemblies forming probably the executive committee of the village assembly (*Ep. Ind.*, vol. XI, p. 224), which is again referred to in nos. 302, 308, 312, and 315 of 1914. A committee of justice is mentioned in no. 268 of 1910 and also in 259 of 1909 in which it is called *nyāyattār*, with a lady as one of its members.

A large number of Cola epigraphs reviewed in the *Madras Epigraphy Report* for 1915–16, p. 115, gives additional interesting details regarding the working of the village assemblies. The village of Brahmadeśam in a *taluk* of North Arcot district in which these epigraphs were found was an *agrahāra* with an organized village assembly, called *gaṇapperumakkal*, or *Gaṇavariyapperumakkal*, with many committees working under its control. One of them was a committee to manage the affairs of the village (*grāma-kārya*), and another to manage those of the temple. The latter committee had an accountant entitled *Trairājyaghaṭikā-madhyastha*, 'the arbitrator of the college (*ghaṭikā*) (named) *Trairājya*' (see no. 194 of 1915 B, ibid., p. 18). The grants recorded in nos. 192 and 194 are stated to have been entrusted by the Mahāsabhā to the great people of the Ganavāriya doing duty in that year ('the members of the Samvatsara-vāriya who looked after the *grāma-kārya*') (according to no. 192), and if they failed in their duty it was stipulated that the *śraddhāmantas* (i. e. those who interested themselves in the charity) should collect a fine from each member of that committee on behalf of the king. The assembly also evidently had under its control a body of *madhyasthas* or arbitrators (no. 226 of 1915), who wrote the tank accounts and received for maintenance a fixed quantity of paddy, a pair of cloths, and some

gold. 'In presenting accounts for audit by the assembly each of these was required to undergo the ordeal of holding the red-hot iron in his hand. If he came out safe and hence also pure, he would be presented with a bonus of one quarter of the surplus. If, on the other hand, he burnt his hand, and hence was in default, he would be fined 10 *kalañju*, without of course further bodily punishment inflicted upon him' (*Mad. Ep. Rep.*, 1915–16, p. 116). No. 178 of 1915, ibid., p. 16, mentions the accountant of the Samvatsara-vāriya committee, who was one of the signatories to an agreement into which the Mahāsabhā entered. 'The Committee of the Assembly' is referred to in an inscription at Ambāsamudram of Varaguṇa-Mahārāja, who reigned probably at the beginning of the ninth century A. D. (*Ep. Ind.*, vol. IX, p. 86). The committees called *pañcavārī* and *vāragoṣṭhi* (i.e. committee-assembly) are mentioned in an Eastern Cālukya copper-plate grant of the first half of the tenth century A. D., which speaks of 'youths eloquent at committee-assemblies, honoured by the chief people who have made them serve on the committee of five' (*Ep. Ind.*, vol. V, p. 138).

As may be already understood from the foregoing evidence, the inscriptions give a variety of names to indicate the village assembly. We meet for instance with such names as *perumakkal*, 'the big children',

perunguri-perumakkal, 'the big children of the big assembly', *parudai*, pariṣat (in a Travancore epigraph of 992 A.D.), *mūlaparuḍai sabhā* (no. 85 of 1896), *piramadeyakkilavar*, 'the old men of the Brahmadeya', and the like.

The executive committee of the assembly are also given several names, e.g., *nirvāha-sabhā* (no. 449 of 1906); *aluṅgaṇattār*, 'managers of the village Sabhā' (no. 257 of 1912), or 'the *gaṇa* members ruling the village', *gaṇapperumakkal*, 'the big children or managers of the Gaṇa', the committee for *samvatsara-grāma-kārya* (annual work of the village) (nos. 92 of 1919, 195 and 196 of 1908, &c.).

In the famous Bhattiprolu inscriptions, we have some references to the committees and their officers. The committee is called *goṭhi*. In no. 1333 of Kielhorn's list we have mention of the ascetic of the committee (*goṭhi-śamaṇa*) who is named Kuba (*kumbha*) and of the treasurer (*hiraṇakāra*) whose name is Buba, son of the Gāmaṇī (the Vedic word Grāmaṇī) No. 1335 mentions the *goṭhi* of the inhabitants of the hamlet (*nigama-puta*) headed by Kuberaka. No. 1338 mentions another *goṭhi*.

Attendance at assembly meetings.

It should be noted that committee members were expected to take an active part in the discussion of questions before the meetings. We have already seen how in an inscription from the Telugu country (see *ante*, p. 184) eloquence at committee assemblies

Rules of debate.

is extolled as a special merit. The rules of debate are indicated in an inscription of the ninth century A. D., discovered in Tinnevelly, which forbids the persistent obstruction of the proceedings of the assembly by members saying 'nay, nay', to every proposal brought up before the assembly, and contains the further provision 'that those who do this, together with their supporters, will pay a fine of five *kāśu* on each item in which they have so behaved' (no. 423 of 1906).

The summoning of members to the meetings of the assembly was made by the blowing of a trumpet which did duty for the issuing of written notices. A special post of the herald was created by the assembly which fixed its daily salary to be 2 *soru* (no. 156, Appendix C, of 1919, of A. D. 1001). As will be shown below, this method of convening public meetings is also laid down in the Smṛtis which thus remarkably confirm the southern and epigraphic evidence.

Nos. 180 and 186 (ibid.) furnish the further interesting information that the assembly, like the British Parliament, held its sittings even during night, though it was the more usual practice to hold the meetings in the daytime.

We should note in this connexion the total number of members expected to form a meeting of the assembly. The number should be at least that of

all the various sub-committees put together, which will thus come up to forty-two. I have found but one inscription (no. 466 of 1912, in *Report* for 1912–13) which incidentally indicates the number by mentioning a deed of gift signed by about fifty persons, evidently the members of the assembly. It may however be reasonably assumed that the assembly was numerically a much larger body than any of its committees. There is not unfortunately much available evidence regarding the average strength of these Sabhās or Mahāsabhās. I have found but a few inscriptions out of several thousand to throw light on the subject. No. 509 of 1913 represents the meeting of an assembly of 1000 members to make a grant of land. In no. 12 of 1907, the Sabhā of Tiraimūr is said to consist of 300 men. As regards the strength of the committee, there is another inscription, no. 1332 of Kielhorn's list of southern inscriptions, which mentions a committee of 36 persons who are named. No. 525 of 1914 mentions an assembly of '120 great men' making a grant of land. No. 62 of 1914 mentions an assembly of 80 persons. No. 429 of 1917 mentions an assembly of as many as 512 members. No. 688 of 1904 mentions a committee numbering 200.

Evidence of the Smṛtis.

It is interesting to note that the rules of attendance at such public meetings and the rules of debate are

also indicated in some of the Smṛtis. The rules of attendance are considered by Nārada (X. 3) to be as essential to the guild as its religious and secular laws which are to be respected by the king. The *Vīramitrodaya* (cited by Jolly) explains these rules as 'the duty of attending in a temple or other public hall for the affairs of the community (*samūhakāryārtham*) when the sound of a drum or other instrument (*mṛdaṅgādi*) is heard.' Thus these sounding instruments did duty for a 'whip' in these olden times. Kātyāyana (quoted in the *Vivādaratnākara*, p. 179, Bib. Ind. ed.) gives some further rules which supplement those of the South Indian inscription cited above. While, according to the latter, the obstructionist at a public meeting is fined, according to Kātyāyana, the unfair obstructions to speakers are also to be fined, as also unfair speeches. Speeches embodying 'fair comments' seem to have been considered as privileged, for the authorities taking action on them against the speakers are themselves to be fined.

Meetings of the *saṅgha* and their procedure in Buddhist literature.

It may be pertinent to refer in this connexion to other available evidence regarding the conduct of the meetings of assemblies. The most interesting and important evidence is set forth in some of the Pāli works regarding the proceedings of the meetings of the Buddhist religious assembly of the *saṅgha*.[1]

[1] A very good account of the evidence is given in the brilliant

When Bhikkhus assembled in chapter became violent, quarrelsome, disputatious, and kept on wounding one another with sharp words, the dispute was to be settled by the vote of the majority.[1]

The vote of the majority.

Rules for the taking of votes.

The votes were to be signified by tickets (as in the South Indian epigraphic evidence).

A 'taker of the voting tickets' was to be appointed. He should have the following five qualifications, viz. freedom from partiality, malice, folly, and fear, as well as knowledge of what votes have been taken

essay entitled 'An Introduction to Hindu Polity' contributed to the *Modern Review* (Calcutta), by Mr. K. P. Jayaswal, M.A. (Oxon.), Barrister-at-law, Tagore Professor of Law for 1917 in the Calcutta University. Among other notable recent contributions dealing with the democratic elements of Hindu polity may be mentioned the articles on 'Forms and types of State in Ancient India' in the *Modern Review* by Narendranath Law, M.A., B.L., on 'Democratic Ideals and Republican Institutions in India' and allied topics in the *American Political Science Review*, vol. XII, from the brilliant pen of Prof. Benoykumar Sarkar, M.A., and the books *Corporate life in Ancient India* (published since the first edition of the present work was in type) by Ramesachandra Mazumdar, M.A., Ph.D., and *Carmichael Lectures* by Prof. D. R. Bhandarkar, M.A. The South Indian evidence on the subject is dealt with by Prof. S. Krishnaswami Aiyengar in his *Ancient India* and in an article in the Bhandarkar Commemoration Volume from the authoritative pen of Mr. H. Krishna Sastry, the Madras Epigraphist.

[1] In the original we have '*yebhuyyasikāya*' = Sans. *yad-bhūyas-ikā*. 'It means putting to the vote and deciding by a majority; this is done by drawing tickets (*salākā*): a good orthodox priest must be selected as *salākāgāhāpaka*, or ticket-issuer, who should be careful to have the votes taken when there is a majority of the orthodox (*dhamma-vādī*).' [Vijesinha Mudliar, quoted by Childers.]

and what have not been taken. 'Some able and discreet Bhikkhu' was to bring forward a motion (*ñatti*) that the Bhikkhu 'of such and such a name' should be appointed as taker of the voting tickets. The consent of the Bhikkhu proposed as the person to undertake the office was of course previously obtained. The motion was then placed before the house for its opinion. Those who approved of it were to keep silence. Those who were against it were to speak.

Cases in which voting was invalid.

The 'taking of votes' (*salākāgāha*) was necessary in the case of a division. It was regarded as invalid in the following ten cases, viz.

(1) When the matter in dispute is trivial;

(2) When the case has not run its course (i.e. when the necessary preliminaries of submission to arbitration have not been carried out);

(3) When regarding the matter in dispute the Bhikkhus have not formally remembered, or been formally called upon to remember, the offence;

(4) When the taker of votes knows that those whose opinions are not in accordance with the law will be in the majority, or

(5) Probably may be in the majority;

(6) When he knows that the voting will result in a schism in the *saṅgha*;

(7) When he is in doubt whether the voting will result in a schism in the *saṅgha*;

(8) When the votes are irregularly given;

(9) When all do not vote equally;

(10) When they do not vote in accordance with the view they really hold.

The above conditions, showing the solicitude felt for the purity, fairness, frankness, and freedom of the debate, are well worthy of observance at modern political and other meetings. The voting was not rushed, but a full opportunity was given to the house to understand the question at issue. Care was also taken that the voting represented the actual opinion of the voter, whose independence and conscientiousness were not allowed to be affected by any undue influence or considerations of partisanship. The only limitation upon the freedom of discussion and decision by the majority of votes was that imposed by certain fundamental religious considerations which formed the very basis of the brotherhood, and violations of which would imply the dissolution of the *saṅgha* or order itself. On such serious questions no voting was allowed, and the principle of the equality of votes of all members was not recognized, simply because a difference of opinion on them would destroy that unity of the church which it was the aim by such free and frank discussions in meetings to strengthen and develop.

Reference of intricate questions

There was also the practice of appointing special committees to deal with difficult or intricate cases

to special committees elected for the purpose.

which were unfit to be dealt with by the general *saṅgha*. Such a committee or jury or commission was to consist of Bhikkhus 'possessed of ten qualities', mental and moral, including proficiency in the tradition and rules of the church as well as capacity to deal with legal questions. An instance of this proceeding is also recorded where 'the venerable Revata laid a resolution before the *saṅgha* at Vesālī: "Let the venerable *saṅgha* hear me. Whilst we are discussing this legal question, there is both much pointless speaking, and no sense is clear in any single speech. If it seem meet to the *saṅgha*, let the *saṅgha* settle this legal question by referring it to a jury."[1] Again: "If it seem meet to the *saṅgha*, let the *saṅgha* delegate four Bhikkhus of the east and four Bhikkhus of the west (all named) to settle this question by reference. This is the resolution." Again: "Let the venerable *saṅgha* hear me. During the inquiry into this matter there has been much pointless talk among us, and the sense in any single utterance is not clear. The *saṅgha* delegates four Bhikkhus of the east and four Bhikkhus of the west to settle this question by reference. Whosoever of the venerable ones approves thereof, let him keep

An instance of such reference.

[1] *Yadi saṅghassa pattakallam* (i. e. is ready, *prāptakālam*), *saṅgho imam adhikaraṇam ubbāhikāya vupasameyya*. *Ubbāhikāya* is to be derived from *ud + vah*, meaning 'reference'; see *S. B. E.*, vol. XX. p. 50.

silence. The delegation is made accordingly. The *saṅgha* approves thereof. Therefore it is silent. Thus do I understand."' The *saṅgha* then appointed a Bhikkhu of ten years' standing as seat regulator to the Thera Bhikkhus (the eight referees) who were to take their seats in the order of their seniority. The duty of the seat-regulator (*āsana-praññāpaka*, आसनप्रज्ञापक) was to see that they were provided with the seats they required (usually mats or rugs) in the hall or grove where they met. In the present instance the sub-committee repaired to the Valīka Ārāma, 'a pleasant place, quiet and undisturbed', to 'settle the matter there'.

The office of the seat-regulator.

There also seem to have been some well-understood conditions required in order to make a meeting of the *saṅgha* itself valid. There must be present in the meeting 'as many Bhikkhus as are capable of taking part in the proceeding. The formal consent must be produced of those who are in a fit state to convey their consent. Those who are present must have lodged no objection (against any one of them taking part in the proceeding or perhaps against the proceedings which are being carried out.)' [1]

Conditions for the validity of meetings.

Meetings of assemblies are referred to even in the Vedas. The *Ṛg-veda* (X. 71, 10) thus appreciates a successful speaker and debater: 'All friends are

Meetings of assemblies in Vedic literature.

[1] See *Cullavagga*, IV. 9, 10, 14 on the whole subject.

joyful in the friend who cometh in triumph, having conquered in the Assembly. He is their blame-averter, food provider, prepared is he and fit for deed of vigour.' The *Atharva-veda* (VII. 12, 4) thus refers to a piece of persuasive oratory arresting the attention of the audience: 'Whether your thoughts are turned away or bound and fastened here or there, we draw them hitherward again: let your mind firmly rest on me.' In *Av.* II. 27, a speaker seeks the help of spells and magic herbs to stimulate his eloquence in debate (*prāś*) and overcome his rival debaters (*pratiprāśaḥ*): 'May (my) foe by no means win (*ji*) the dispute; over-powering, overcomi g art thou; smite the dispute of (my) counter-disputant; make them sapless, O herb' [अरसान् = नीरसान् शुष्ककण्ठान् वक्तुम् असमर्थान् or रसरहितवाक्यान्, i.e. असंयतप्रलापिनः कुरु, i.e. make them dry-throated, incapable of speaking or devoid of sweetness of speech, hence make their speeches irrelevant, inconsistent, and incoherent (Sāyaṇa)]. In *Av.* VII. 12, 3 the debater prays to Indra for the palm and pre-eminence in the meeting of the assembly: 'I appropriate to myself all the power of knowledge and wisdom that belong to these members of the assembly: Indra, make me conspicuous in all this gathered assembly, so that I may monopolize its attention.'[1] The members were also anxious that

[1] Sāyaṇa points out that Indra, being the Lord of speech, is

their speeches should be free from impropriety and rudeness and always agreeable and fair and never foul (*Av.* VII. 12, 1). They even prayed for forgiveness of any sins of omission or commission of which they might be guilty in their debates at meetings: 'Each fault in the assembly . . . that we have done . . . even of that sin, thou (*sūrya*) art the expiation' (*Vājasaneyi Saṃhitā*, XX. 17). The respect for the meeting was also thus expressed: 'Homage to the assemblies and to you, Presidents of the assemblies' (ibid., XVI. 24).

Fullness of attendance at assembly meetings.

Like the Pāli evidence, the epigraphic evidence of South India is indicative of full attendance at meetings of the assemblies. In the *Mahāparinibbānasutta* (I. 4) the Buddha tells Ānanda that 'so long as the Vajjians hold these *full* and *frequent* public assemblies, so long they may be expected not to decline but to prosper', so great was his appreciation of the efficacy of the national interest in such institutions. Similarly, there is a number of south Indian inscriptions recording meetings of assembly attended by all the members

prayed to for success in carrying the assembly [इन्द्रस्यैव वागनुशासनकर्तृत्वात् <u>सभाजयकर्मणि</u> तस्यैव प्रार्थनम् ।]. The phrase मामिन्द्र भागिनं कृणु is explained by him to mean भाग्ययुक्तम् or जययुक्तम् कुरु, i.e. सर्वामपि सभां मदेकवाक्यश्रवणपरां कुरु, i.e. make the whole assembly concentrate its attention upon my speech alone.

'without a vacancy' (e.g. *S. I. I.*, vol. III, part I, nos. 28, 30, 35, and no. 77, ibid., part II).

The public hall for meetings in Vedic literature

Meetings of the assembly were of course held in the public hall of the village. In Vedic India the hall served as a meeting-place for social intercourse and general conversation, as also for debates and verbal contests (*Ṛv.* VI. 28, 6; VIII. 4, 9; *Av.* VII. 12, 2–3; also *Ṛv.* II. 24, 13 [*sabheya*]). The hall was also used for dicing, presumably when the assembly was not transacting public business (*Ṛv.* X. 34, 6; *Av.* V. 31, 6; XII. 3, 46); a dicer is called *sabhā-sthāṇu*, 'pillar of the assembly-hall', doubtless because of his constant presence there [*Vājasaneyi Saṃhitā*, XXX. 18; *Taittirīya Br.*, III. 4, 16, 1 with Sāyaṇa's note].

and in Buddhist.

The administrative and judicial business of some of the autonomous clans of Buddhist India was carried out in public assembly, at which young and old were alike present in their common Mote-Hall (*santhāgāra*) at Kapilavastu.

The hall at Kapilavastu,

When King Pasenadi asked for one of the daughters of the Sākiya chiefs as his wife the Sākiyas discussed the proposition in their Mote-Hall. A new Mote-Hall was constructed at Kapilavastu whilst the Buddha was staying at the Nigrodhārāma in the Mahāvana near by. He was asked to inaugurate the building, and the opening ceremony was accompanied by a series of ethical discourses lasting through the night delivered by himself,

Ānanda, and Moggallāna (Rhys Davids, *Buddhist India*, 19, 20). Similarly, the Licchavi assembly was composed of numerous members who are mentioned in the Jātakas as holding their meeting in a 'royal rest-house' (IV. 7–24), once to discuss a marriage proposal (IV. 145), and at another time to make arrangements for the reception of a prince of a neighbouring royal house (IV. 146). In some of the Smṛtis (e.g. *Bṛhaspati*) one of the duties of the village assemblies (called *samūha*) laid down is the maintenance of public halls, while in one of the Nāsik inscriptions cited above there occurs the expression *nigama-sabhā*, or the town-hall where the charitable or religious endowments were publicly proclaimed, accepted by the guilds, and registered in their archives. Similar evidence is forthcoming in the South Indian inscriptions. No. 104 of 1908 mentions the Sabhā meeting in the hall called *Doyāpañjaram* in the temple, and no. 105 speaks of its meeting at the foot of *Uraṅgāppuli*. No. 326 of 1910 mentions an assembly meeting in the 'big hall' called *Gaṇḍarādittan* while no. 332 mentions the same assembly meeting at the foot of a tamarind tree. No. 140 of 1909 mentions a Sabhā meeting at the foot of a tree on the banks of a canal. One of the Ukkal inscriptions (no. 7 of *S. I. Ins.*, vol. III, p. 12) mentions the assembly meeting in the front hall of the Puvanimāṇikka-Viṣṇugṛham in the

and of the Licchavis.

The hall in the Smṛtis.

The hall called *nigama-sabhā* in a Nāsik inscription.

Mention of various halls in South Indian inscriptions.

village (Sans. *mukha-maṇḍapa*). Nos. 28 and 30 (ibid.) refer to the assembly meeting in the *brahmasthāna* of the village, while nos. 35 and 77 mention the court of the temple as the place of the meeting. Three inscriptions copied at Nattam, a hamlet of Parameśvara-maṅgalam in the Chingleput district, refer to the hall (*catuśśālā*) known as Rājendraśolan in the village where the assembly used to meet (*Madras Epigraphy Report*, 1912–13, p. 98). In no. 653 of 1909 (*Report* for 1909–10) the assembly of a Brahmadeya village meet under a tamarind tree called *Rājendracolam*. In Tamil inscriptions we generally find village assemblies meeting either in a *maṇḍapa* built for the purpose or in a temple. 'The peculiar circumstances under which the Mahājanas of Pāvaikudi met under a tamarind tree reminds us of the village pīpal-tree with the big platform round it found in the centre of almost every hamlet in the Mysore country where questions concerning the village public are decided by the people gathered in the assembly' (*Madras Epigraphy Report*, 1909–10, p. 90). No. 398 of 1913 (*Report* for 1913–14) mentions an assembly of a Brahmadeya village meeting in a hall called *Tiruvaraṅgadevan*. No. 178 of 1915 (*Report* for 1915–16) mentions the great assembly of Madhurāntaka-Caturvedimaṅgalam including the young and the old meeting together in the big hall called *Śembiyan-*

mahādevīpperumaṇḍapam, built by Rājarāja I, evidently for the purpose of the meetings of the assembly.

Relations between the assembly and its committees.

We have now discussed the evidence of literature and inscriptions on the institutions through which the collective life and culture of the village were expressed, and on the way in which the village assemblies held their meetings and administered their affairs. We have also discussed the evidence of the Ukkal and Uttaramallūr inscriptions regarding the various committees instituted by the general assembly of the village to govern the manifold interests of communal life, and the qualifications laid down for the membership of such committees. The evidence leads to the conclusion that these several committees were, legally speaking, sub-committees of the larger general assembly appointing them, rather than independent and unco-ordinated committees. Doubts on this point may be solved by a reference to the fact mentioned in the Uttaramallūr inscription that the casting of lots for election of committee members took place before 'a full meeting of the great assembly, including young and old', as well as all the priests to be found in the village on the day of the meeting. One of the Ukkal inscriptions again (no. 11) expressly refers to a meeting of 'the *great* assembly, including the great men elected for the year and the great men elected for the tank

The superiority of the general assembly is further indicated by the fact that every member of the committees was bound to render 'an account of his stewardship' immediately before or after the expiry of his term of office.

Composition of the assembly.

The next question that suggests itself is: if there was an independent and supreme assembly of the village, did it include all the residents as its members? We are indeed led to infer that it did from the passage quoted above about the *full* meeting of the assembly including the young and old members, and even the priestly outsiders who might happen to be present in the village on the occasion. Similarly, no. 178 of 1915, in *Report* for 1915–16, refers to a meeting of the great assembly, including the young and the old. But against this inference we have the positive testimony of an earlier inscription at Manūr in the Tinnevelly district (no. 423 of 1906, *Report* for 1906–7), dated in the thirty-fifth year of the reign of Mārañjadaiyan (i. e. about the ninth century A. D.), which lays down certain qualifications for membership of the *sabhā* or assembly, as the aforesaid inscriptions lay down those for membership of its committees. The very promulgation of such rules of membership implies that the assembly was not a universal body open to all the residents, but was a narrower, select, and restricted body open only to those who could qualify

themselves for its membership according to the rules. Thus it is stated that

(1) Of the children of shareholders in the village, only one who is well-behaved and has studied the *Mantra-Brāhmaṇa* and one *Dharma* (i.e. code of law) may be on the village assembly (*manru*) to represent the share held by him in the village, and only one person of similar qualifications may be on the assembly for a share purchased, received as a present, or acquired by him as *strīdhana* (through his wife);

Qualifications for membership.

(2) Shares purchased, presented, or acquired as *strīdhana* could entitle one person only, if at all, to full membership in the assemblies; and in no case should quarter, half, or three-quarter membership be recognized;

(3) Those who purchase shares must elect only such men to represent their shares on the assembly as have critically studied a whole Veda with its *pariśiṣṭas*;

(4) Those who do not possess full membership as laid down by rule (2) cannot serve on any committee (*vāriyam*) (for the management of village affairs).

Thus the above conditions lay down a property qualification combined with a certain minimum of moral fitness and intellectual proficiency in legal and religious literature for every aspirant after a position

in the general assembly of the village, while clause (4) insists on the qualifications (which are elaborated with the necessary fullness and additions only in the Uttaramallūr inscriptions) for candidates for membership of the assembly-committees. There is also the introduction of the principle of representation in clause (3) which gives the propertied persons, who lack the necessary education, power to appoint duly qualified nominees by whom they may be represented in the assembly.

General view of the machinery of Local Government.

We may now attempt a general view of the entire organization or mechanism of local government. It is clear that a fairly complex and elaborate administrative machinery was developed to deal with the manifold types of local conditions and requirements.

The necessary variety of the local bodies.

The efficiency of local government required a variety of local bodies, with differentiated spheres, structures, and functions, by which alone a system of administration could be effectively adjusted to the complex needs of heterogeneous communities such as India presents.

The Assemblies of single or several villages.

The most frequently mentioned type of assembly is the Sabhā, the assembly of the Brāhmans. The Sabhā seems to have been the governing body of a single village or the smallest group of villages and was thus the unit of the system of local government. The unit of the Sabhā was the *agrahāra*, the individual share in a Brāhman village. Corresponding

to the Sabhā was the *ūrār*, the assembly of the general body of inhabitants of a village representing all the different castes, creeds, and communities. Superior to the Sabhā in the hierarchy of assemblies was the Mahāsabhā, the governing body of a group of villages (called *kūrram*?). Another type of assembly is known as *nagarattār* which was a sort of sectional assembly or guild of merchants and professionals, or perhaps a municipality or town corporation (no. 14 of 1906). Thus, while the Sabhā or *ūrār* was a village assembly, the *nagarattār* might have been a city municipal assembly. Some of the inscriptions speak of the assembly of 'the chief town' of a group of villages. No. 40 (*S. I. I.*, vol. I) mentions such an assembly of the middle-aged citizens of the town of Māmallapuram which made a new division of the land of the town. That it was a regularly functioning administrative body is also proved by the mention of the accountant of the town (*karaṇam*) signing the assembly's decree. No. 23 (ibid., vol. II, part I) mentions the assembly of the chief village of fifty villages. No. 1 (ibid., vol. III, part I) shows that a village by itself might for its growth and importance form an independent sub-division of a district (*koṭṭam*) and be distinguished by the special name (*taniyūr*) and ruled by its special assembly (called *gaṇattār*). In no. 16 (ibid.) the assembly of the citizens of a town grant

a village and are attended by their Accountant. The town assembly is again referred to in no. 53 (ibid.). Above these village and town councils came the district assembly called *naṭṭār* (ibid.).

Evolution of larger Assemblies.

The evolution of larger associations and confederations is also evidenced in the inscriptions. They provided the material conditions and facilities for the growth of a wider political and democratic life in the country. They served as the organs of a larger public opinion controlling and organizing larger democracies. No. 28 of 1913 records the meeting under a president of the residents of the eighteen divisions at which the deficiency shown in the total area of a division was rectified. No. 521 of 1912 similarly records that the *naḍu* and *nagara* of Urrattūr-nāḍu assembled in the hall called Uttama-sola-Maṇḍapa of a temple and converted a village into a mercantile town. No. 59 of 1914 refers to the assembly of Parāntaka-nāḍu which enters into an agreement with the *Valaṅgai* 98 and the *Idaṅgai* 98 sects regarding the payment of dues to the king. No. 67 of 1906 mentions the assembly of seventy nine Nāḍus to administer justice in a criminal case. No. 80 of 1906 refers to a meeting of the people from all quarters and Nāḍus for a similar purpose. No. 91 of 1906 refers to a similar assembly of '1,500 men of four quarters'. No. 600 of 1908 records the sale of land through 'the great assembly of twelve

Nāḍus'. Thus these larger assemblies must have been well defined political structures, regularly functioning, when they exercised such executive and judicial functions. No. 76 B (*S.I.I.*, vol. II, part III) refers to the grant of a village made in the presence of the Nāḍu assembly. No. 274 of 1910 informs us of officers attached to the Nāḍu assembly who sign the trust-deed under which the assembly receives a gift. This further shows that these larger Nāḍu assemblies were well organized as actual working and governing bodies and not mere temporary associations. No. 404 of 1911 points to the same conclusion, showing a Nāḍu assembly imposing a special impost upon every village within its jurisdiction to provide an embankment which would protect all the villages against floods. Thus their co-operation was enforced for their common good by their common and supreme political authority. The assembly of a larger area or division, viz., *koṭṭam* is referred to in no. 73 (*S.I.I.*, vol. II, part III).

Certain communal corporations or guilds exercised jurisdiction over larger numbers and areas. No. 342 of 1912 tells us of a meeting of '1,500 merchants of four quarters' including Nāḍu, Nagara and Nānādeśī at which they decide upon converting a village into a Pattana. No. 3 of 1910 similarly speaks of a meeting of the merchants of eighteen towns on the

north and south side of the Kāverī. Lastly an inscription of the Nellore district refers to a yet [illegible]er league of merchants comprising those of the Nāḍu, towns, hills, five Maṇḍalas and even foreigners.

Administrative Divisions and their corresponding Assemblies.

In connexion with these assemblies of different sizes, compositions and jurisdictions, it may not be amiss to define the hierarchy of administrative divisions to which they correspond. The best account of this hierarchy may be obtained from the administrative organization of the great Cola Empire under Rājarāja as reflected in the numerous inscriptions associated with that king. The Cola Empire is made up of no less than nine Maṇḍalas or provinces. Each of these provinces is made up of a number of divisions ranging from one to twelve. The total number of these divisions comes up to forty-five. Each division is called a Nāḍu and has a number of sub-divisions, also called Nāḍus or Kūrrams, each of which is named after the chief village in the group of subordinate villages belonging to the sub-division. (See Venkayya's introduction, *S. I. I.*, vol. II, part V). No. 73 (ibid., part III) uses the alternative term Rāṣṭra for Maṇḍala which is described as being constituted by twenty-four divisions called Koṭṭam or Viṣaya, while each such Koṭṭam is made up of four Nāḍus. In no. 82 (ibid., part IV) the series in an ascending scale is represented as village (*uru*)—Kūrram—Nāḍu. In no. 50 (ibid.)

the series is village or town—Nāḍu—Koṭṭam. In no. 242 (ibid.) the series is village or Nagara or Parru (probably, Sanskrit *pura*)—Kurram—Nāḍu. From the uses of these various terms it is clear that the same term is sometimes used to indicate administrative divisions of different sizes, while for the same administrative unit different terms seem to have been used. The smallest unit, the base of the administrative organization, is the village (*uru*) or town (*nagara* or *parru*). The next higher unit is called Nāḍu or Kūrram. The next position in the hierarchy belongs to Nāḍu, Koṭṭam or Viṣaya. Above this comes the Maṇḍala or Rāṣṭra, the province of the empire. As may be understood from this gradation of administrative divisions, each particular grade of jurisdiction had its corresponding assembly to administer its affairs in defined relationship to the central authority.

Examples of Composite or Federal Assemblies.

It will thus appear that the various circles of interests in the country differing in size and composition developed their corresponding administrative bodies. As regards the larger federations, sometimes they were occasional, meeting to dispose of some special business affecting the group. But there were also permanent institutions of the kind with defined structure and scope, regularly and systematically functioning for the popular weal. No. 368 of 1919 refers to a composite assembly of

north and south side of the Kāverī. Lastly an inscription of the Nellore district refers to a yet wider league of merchants comprising those of the Nāḍu, towns, hills, five Maṇḍalas and even foreigners.

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certain specified groups of people (*kuttam*) of the three recognized classes of *pallis*, of the four or six sub-divisions of professionals, of artisans (*rathakāra*) and of other castes and caste leaders living in the *three* districts. In these larger assemblies there seems to have been communal representation. Sometimes we also find the assemblies of different communities and interests meeting together to consider matters of common concern. We have already adduced examples of this. We have a few instances of common action by several village assemblies. No. 439 of 1906 mentions the joint sale of land belonging to three villages, and no. 338 of 1909 refers to the same transaction by four villages, which claiming the same piece of land settled their dispute by deciding that the land which was the bone of contention should be given away to the temple. No. 74 B (*S. I. I.*, vol. II, part III) refers to the joint meeting of two assemblies which agree that the two villages should be one.

We have also instances of the merchants (*nagarattār*) residents and professionals (*ūrār*) and district representatives (*nāṭṭār*) participating in the deliberations of the Sabhās or Brahmanical assemblies. In a rather late record (no. 2 of 1913) we have even the evidence of the common action of different communities of Brāhmans and lower castes in making a common gift. No. 26 of Sewell's list (a Madura

inscription) refers to an assembly of the communities of the Nāiks, Ambalakāras and Kavundas deciding a dispute. No. 315 of 1909 refers to Brāhman villages (*agrabrahmadeśa*), agricultural villages, and towns (*nagara*), making a joint gift. We have also evidence showing that in some of the transactions of the Brāhman assemblies even the village blacksmith and goldsmith were associated in the important capacities of witnesses and signatories to documents for transfer of property (*S. I. I.*, vol. II, part III, 76 B; no. 71, ibid. vol. III, part II, &c.).

The Temple as a school of self-government.

Along with the various territorial divisions, another very common and convenient sphere and school of local government was found in the village temple which was at once the centre of intellectual and spiritual life. The influence of the temple on the public life of the country in these olden days cannot be over-estimated. The temple and the Sabhā were like the two ends of the axis round which revolved all communal and even individual activity. The temple inspired and sustained private piety; private piety thus strengthened is stimulated into gifts; the constant stream of individual gifts calls for arrangements for their proper administration which thus give the people an opening for public service and a scope for self-rule.

The temple-properties and offerings assigned by the public were naturally of various forms and

kinds and required diverse talent for their proper administration. A regular bureaucracy of officers was created for the work. Thus we read in the inscriptions of the *padipādamūlattār*, 'those that attend on the sacred feet of God', the *tiruvuṇṇāligai-uḍaiyār* or *sabhaiyār*, 'those in charge of the sacred inside of a temple'; *danmakaṭṭalaiyār*, 'those in charge of organized charities'; *tirukkoyiluḍaiyār*, 'those in charge of the sacred precincts of the temple'; *devakanmigal*, 'temple servants'; *upāsakas*; *Māheśvaras*; *Śrīvaiṣṇavas*; *devar-maṇrāḍigal* or *devar-iḍaiccanar*, 'the shepherds of the temple' &c. There seems to have been a separate assembly for the management of the temple (called *pariḍai* in no. 98 of *S. I. I.*, vol. II, part V). Another inscription refers to a gift to a temple of Śrīraṅgam to be administered by the 'temple authorities' which include, (*a*) members of the committee of Śrīvaiṣṇavas, (*b*) members of the committee of the temple treasury, (*c*) the accountants of the assembly of the place, and (*d*) the accountant of the Śrīvaiṣṇavas. No. 157 of 1913 gives the complement of the temple staff as comprising worshippers, accountants, Purohitas, goldsmiths, dancing girls, painters, men who ring the bell, makers of garlands, watchmen, the blower of the conch and torch-bearer. No. 66 (*S. I. I.*, vol. II, part III) gives as the temple staff, dancing masters, musicians, drummers, singers, accountants, parasol-

bearers, lamplighters, watermen, potters, washermen, barbers, astrologers, tailors, one brazier, carpenters, one goldsmith and others. No. 264 of 1913 uses the term *sthanattār* for the temple officials and servants. Sometimes the temple was managed by the Sabhā itself. In no. 85 of 1896 we find the Mahāsabhā being given charge of the temple which they proceed to administer by appointing special officers, two *vāriyārs* and one *karaṇattān* (accountant). Sometimes the Sabhā and the temple committee co-operated in managing the affairs of the temple. No. 64 of Sewell's list (in his *Antiquities*) records an agreement of both authorizing their accountant to collect taxes from the people for the temple. No. 49 of 1913 refers to a committee of inquiry into temple affairs which comprised Māheśvaras, Sthānikas (the name of a rural officer mentioned even in the *Kauṭilīya*) and merchants. But the commonest ground of connexion and co-operation between the two authorities, arose from the fact that the Sabhā was generally entrusted with the administration of the numerous trust-properties of which the temple was the beneficiary. No. 69 (*S. I. I.*, vol. II, part III) shows that the villages undertook responsibility for supplying different kinds of labour or services for the temple such as those of watchmen, treasurers (who were to be Brāhmans rich in land, capital and connexions), Brahmacārins and accountants.

§ 2

FUNCTIONS

Functions of Local Government, Internal and External.

THE foregoing description of the constitution and machinery of local government gives sufficient indications of the functions or the sphere of work marked out for it. The essence of local government being its double relationship, that to the central power and that to the people of the locality committed to its care, its functions are naturally twofold, which may be characterized as Internal and External. The internal functions may be considered first.

Protection.

It has been already apparent that the assembly made itself mainly responsible for the moral and material welfare of the people committed to its administration. One of the primary duties of all government is to ensure the security of the life and property of its people. The people must be protected against the invasions of external enemies or from internal disorders. How far these ancient local bodies were mindful of their duties in this regard will be apparent from a few typical illustrations. No. 359 of 1914 relates how the peace of the village was disturbed by the internal quarrels of a turbulent community, whereupon the assembly bound it down to keep the peace on a penalty of

100 and 500 *paṇams* for injuries done to an individual or the village. No. 273 of 1914 records how the larger Valla-ṇāḍu assembly guaranteed the safety and protection of the villages in its charge and made themselves financially liable for it. Sedition within the village was ruthlessly stamped out. We have a very definite record on this subject. No. 332 of 1910 registers the following resolution adopted by the Nalūr assembly:—'that the residents should not do anything against the interests of the village, temple, and similar institutions; that, if they do so, they must suffer as *grāmadrohins* (traitors against the village) do and not be allowed the privilege of touching Śiva' i.e. offering worship at the temple. It is to be understood that those who are declared *grāmadrohins*, i.e. enemies of the village and outlaws, are punished by confiscation of their property. No. 112 of 1911, for instance, refers to such a case of confiscation, already alluded to. When the assembly failed to protect the people against enemies too powerful for them, they invoked the aid of the king. Such a case is recorded in no. 315 of 1909 which relates that a number of Brāhmans turned outlaws, 'murdered the other Brāhmans, cut off their ears, insulted their ladies, committed robbery, destroyed cattle or sold them'. On the matter being reported by the people to the chiefs in charge of the country, they 'got the

offenders together, beat them, fined them, pulled down their houses, and kept them under surveillance'. But this treatment was too lenient to make them change their character and career, whereupon the people again invoked the aid of the authorities in punishing the rebels. The king 'issued stringent orders that they be captured wherever found and punished according to the rules applicable to the lower classes, that their houses and other hereditary property be sold to temples and other charitable institutions, that the money thus realized be credited to the treasury in payment of the fine imposed on them, and that the balance, if any, be presented to the temples as a permanent charity in the name of the criminals'. The following reflections of the learned Epigraphist may be quoted: 'This event which happened about the middle of the thirteenth century A. D. is enough to show that the orthodox system of administration in India, while it did everything for the comfort and peace of its subjects, put down with a stern hand the misdoings of individuals who strayed away from their legitimate duties and thus held the balance of justice even between class and class. The religious instinct, too, so prominent among Indian kings, which in the present case prompted Sundara-Pāṇḍya (the king) to order a portion of the money realized by the sale of the criminals' property to be set apart for charities on

their behalf in order that these misguided people may, as a consequence, improve in their character and become at least in the future useful and loyal citizens, is indeed noteworthy.'

The means of Protection.

The duty of protecting the person and property of the people which rested upon the assembly necessarily implies that the assembly must have had at its disposal adequate military force for the maintenance of peace, and the defence of the village against attacks from within and without. The South Indian evidence with its undoubted superiority to the northern evidence in point of copiousness and variety does not, indeed, seem to furnish any definite information on this point. There are, however, numerous inscriptions (noticed later) which tell of the 'village Hampdens' who, with 'dauntless breast' braved the attacks of enemies against the person and property of the villagers and sometimes died in their defence. The heroism of these patriots is duly commemorated in the laudatory inscriptions put up by a grateful public who very often reward it also by generous grants of land. It would appear that cattle raids were the most frequent form taken by these aggressions. The defect of the southern evidence is, however, in some degree supplied by the northern. Assemblies possessed of military force and functions are referred to in the *Kauṭilīya*, in the *Mahābhārata*, and even in some of the later law books. We may

Inferiority of southern evidence to northern.

Evidence of Pāṇini,

also recall the yet earlier evidence of Pāṇini who mentions *ayudhajīvi-saṅghas* (including even Brāhmans) or the special associations called the *vrātas* which follow violent pursuits.

Kauṭilya,

Kauṭilya refers in several places to *śreṇīs* or guilds known for their military strength. He singles out (XI. i.) those of the Kāmboja, Surāṣṭra and Kṣatriya (?) peoples as living by their economic and military pursuits. On account of their military power, these *śreṇīs* were of very great importance to the state. In the discussion of the comparative gravity of the various sources of trouble to the king, that created by a refractory assembly is considered along with that created by rebellious chiefs. Kauṭilya cites the opinion of the previous Ācāryas that the *śreṇī* on account of its numerical strength (*bāhulyāt*) is more difficult to be subdued than individual recalcitrant chiefs. Kauṭilya, however, dissents from this view, for he holds that the fortunes of the assembly are vitally bound up with those of the king, and hence they cannot stand out long against him, while they may also be subdued by arresting either their leaders (*gaṇamukhyas*) or a section of the assembly (VIII. iv). In another place (IX. ii) Kauṭilya mentions the *śreṇī* as a source of recruitment for the army, and the army thus formed is called *śreṇī-bala*. The soldiers supplied by the *śreṇī* are even spoken of as worthy of being trusted both for offensive and defensive purposes. They are led

by their special commander called *śreṇimukhya* who is paid a salary equal to that of the commanders of the elephant force, the cavalry, the chariots and the *pradeṣṭāraḥ* (the Divisional Commissioners), and sufficient to command a good following (V. iii). The military strength of the guild is also referred to in the *Mahābhārata* in some of the passages already cited. The power of the corporations is regarded as being equal to that of the king's standing or mercenary army. It is not, however, quite clear from the evidence of either the *Kauṭilīya* or the *Mahābhārata* whether this military strength is referred to as belonging to the local assemblies or to the republican communities possessing absolute independence. There is, however, no such doubt in regard to the evidence supplied by some of the Smṛtis. Bṛhaspati (XVII. 5–6) defines protection against a common danger as one of the main objects of the village association. The danger is defined to be that apprehended from robbers, rogues, or a disbanded soldiery, as has been already explained. Such a 'danger must be repelled *by all*, not by *one* man alone, whoever he may be'. (Does this imply conscription, or universal military service imposed by the assembly upon the village?) That the assembly was possessed of military resources is clearly evident from Nārada (X. 5) where one of the grounds of royal interference with the assembly is their unlawful

the *Mahābhārata*,

the Smṛtis,

wearing of arms (*ahetau śastradhāraṇam*). The bearing of arms in the time of peace, when there was no apprehension of any danger of the kind mentioned above, was regarded as an offence against the king and a menace to peace itself, but the passage indirectly shows that the assembly was normally able to organize an adequate police or military force to repel attacks against the village either from within or from without. Further, we have already seen how Nārada (III. 4) mentions among the expenses to be incurred by a guild for carrying on its business those connected with the care of its treasury. Sometimes it would be difficult to guard the treasures against the invasions of raiders (Kātyāyana already cited) or of the unscrupulous king (Bṛhaspati, XIV. 8). But the heroism that would successfully repel such invasions is to be specially rewarded (ibid. 10). This shows that these corporations, besides governing themselves, had also to find the means of protecting themselves and ensuring heir own safety. Some of them developed their military strength so far as to find it profitable to pursue offensive purposes or engage in plundering expeditions. They are mentioned as successfully battling even against kings (ibid. 31. 32, and other references already cited which thus confirm the evidence of the *Kauṭilīya* and the *Mahābhārata* regarding the *śreṇī-bala*, or the *āyudhajīvi-saṅghas* or the

śastropajīvi-śreṇīs). It may be noted too that violence in the village or enmity against its interests was visited with the extreme penalty of banishment (Kātyāyana quoting Bhṛgu, and Bṛhaspati, as cited in Colebrooke's *Digest of Hindu Law*, vol. II, p. 59).

In addition to this evidence of the Smṛitis we have very interesting evidence from a North Indian inscription pointing to the pursuit of the military arts and undertaking of the work of protection by members of guilds. The Mandasor inscription of Kumāragupta (above, pp. 93, 94) shows how some of the members of a guild devoted themselves to various arts and crafts, while others distinguished themselves by their heroism in battle in which they destroyed their enemies. and an inscription.

It is indeed but natural that the power of self-rule exercised by the villages and local bodies should necessarily involve, as its corollary or rather its prerequisite, the power of self-defence, the responsibility for watch and ward executed through their own organization of the police and military. Thus the northern evidence is very valuable for the information it gives on this most important aspect connected with the reality and extent of the self-government as developed and exercised by rural India. Self-rule implies self-defence.

The ordinary civil functions of the assembly are designated as *grāma-kārya* in a number of inscrip- The Civil Functions.

tions already cited (e.g. nos. 195, 196 of 1908, 92 of 1914). In no. 390 of 1908 it is definitely stated that the assembly gathers to discuss *grāma-kārya*. The assembly divided itself, as we have already seen, into a number of standing annual committees to administer the manifold interests of communal life. The functions of those committees when viewed in the whole, will give a clear idea of the total field of work covered by the local bodies. We shall in this place point out some essential items in that work with reference to the general administrative principles involved in them.

Land.

The assembly, being responsible for the material well-being of the people, invested themselves with special responsibilities in regard to the principal source of that well-being, viz. the village lands. The character of the control assumed by the assembly over the entire landed property in the village will be evident from the epigraphic records cited above and below.

Its acquisition

In the first place the lands, not in private hands, nor reserved as crown lands or consecrated to the temple, were held in absolute ownership by the village assembly which exercised all the rights involved in such ownership. New accessions of lands to the village due

through fresh clearing,

to 'fresh clearing' were of course the property of the assembly (no. 11 in *South Indian Inscriptions*, vol. III, part I). Another source of the acquisition of new lands

by the assembly was the dissolution of the private ownership of lands for which the payment of the fixed revenue was in arrears for a stated period. Nos. 620 and 647 of 1909 record the forfeiture to the assembly of the property of certain defaulters who absconded without paying the taxes due. By royal order defaulters for a period of three years were liable to the aforesaid confiscation (no. 9, *South Indian Inscriptions*, vol. III, part I). No. 164 of 1906 records another instance of the forfeiture to the assembly, and the sale by public auction, of lands belonging to two accountants who absconded without rendering proper accounts. Lastly, the assembly, as we have already seen, punished the seditious offenders against the village (*grāmadrohin* or *grāma-kaṇṭaka*), as in no. 112 of 1911 and other inscriptions cited above, by confiscating their lands. or forfeiture,

Thus newly reclaimed lands, and the lands of which ownership was lost through crime or undischarged liability, were legally vested in the assembly. But they had power to dissolve private proprietorship of land in other ways. They were invested with the power of 'land acquisition' in the modern sense of the expression. Thus no. 84 of 1906 registers the compulsory acquisition by the assembly of the land belonging to a private owner. There were of course the attending conditions justifying such an encroachment upon the rights of private or for public purposes.

property. The purpose of the acquisition is connected with a public object, in the present case the excavation of a tank for the village, while the dispossessed proprietor was paid by the assembly due compensation in the shape of another plot assigned to him. Land acquisition for constructing a public road is referred to in no. 9 of 1898.

Its disposal.

As in the case of acquisition of land, similarly in that of its distribution, disposal or sale, the assembly was possessed of sweeping powers. The lands which belonged to them as the common property of the village (*madhyama*) were parcelled out among inhabitants who would pay the prescribed taxes on each *kuli* (no. 7 in *S. I. I.*, vol. III, part I). The settlement operations were conducted by the land-survey committee of the assembly already referred to. Sometimes the assembly instead of settling land would sell it out and out when so desired by the purchaser, especially if for a worthy object, viz. endowing some form of worship in the temple. The majority of South Indian inscriptions record this kind of transaction. To such philanthropists and pious men the assembly afforded every facility in making their gifts in the form most convenient to them. One of these convenient forms was the assignment of land to maintain the charity, and the assembly alienated their own land in consideration of the fair price paid for it. The price paid was to

'Settlement'.

Assignment for charity.

be sufficient not only to meet the royal dues on the land, but also to maintain out of its interest the proposed service to the temple. Such lump sums, the annual interest of which would cover the yearly rent due on the land, are called *irai-kāval* in the inscriptions. But besides selling the land to facilitate pious gifts the assembly would further assist the donor by undertaking the administration of the gift for the execution of its purposes. This kind of transaction was so common and frequent that it added considerably to the burden of the assembly's administration, and there was evolved accordingly a special department—the garden committee—to cope with it. This committee was made responsible for the various purposes to which the gifts of lands by private donors, local and foreign alike, were consecrated according to their wishes. As we have already seen, sometimes the normal use of the land, viz. its cultivation, was kept up to yield the revenue out of which a perpetual lamp would be maintained at the temple. But sometimes land was devoted to other uses, as for growing gardens for the supply of flowers and garlands for the temple, or for orchards for the supply of specified fruits.

Sometimes the purchasers of the assembly's land would be public bodies and not private individuals, though the object of the purchase was the same charitable one. Thus the temple itself would

buy lands on payment to the assembly of the *irai-kāval.* But there were cases where the temple requiring land would be unable to pay the price. In such cases we find the assembly making a free gift to the temple of the land by charging the *irai-kāval* to the public fund. In fact, as we have already seen, the religious benefactions of the assembly were hardly less common than those of private individuals.

Sale by public auction.

Besides sale of land for its capitalized value and permitting its assignment to charities, the assembly had of course to sell lands in their administrative capacity when occasions arose. Property confiscated or forfeited for the reasons specified above was sold by public auction. We have an inscription describing the procedure of such public auction (no. 10, *S. I. I.*, vol. III, part I). First, the description of the land on sale, of its situation and boundaries, was repeated twice. Next, the bid was called out thrice. There is on record the sale of land by private owners who could not cultivate it owing to sand deposited by the Kāverī floods. They asked 'Are there any to buy this land?' The proclamation drew a buyer who made a gift of the land to the temple. No. 87 of 1900 records the case of the assembly selling off lands for arrears of rent which the owners could not pay by reason of the destruction of crops by floods. Kauṭilya lays down a similar procedure for the public auction of

such immovable properties. The auction was to be held in the presence of forty persons owning properties in the neighbourhood. They congregated before the land or house on sale and announced it as such. The aged persons of the locality presided over the transaction. The boundaries and other particulars of the property were then described. The auctioneer then loudly uttered three times the question, 'Who will buy this property at such a price?'

Description of the transaction and deed of sale.

The transfer of land is the transfer of the rights and obligations pertaining to it. These have to be precisely defined and recited in the deed giving effect to the transfer. It was thus a transaction involving attention to various legal formalities and technicalities. The evidence shows that the assembly was fully alive, and capable of conforming, to the legal requirements of such transactions. The first step in the transaction was of course the definition and declaration of the boundaries of the plot on sale, so that there might not be the least doubt or dispute regarding its identity. The recital of boundaries may be studied in numerous inscriptions. One of the fullest descriptions is given in no. 76 B (*S. I. I.*, vol. II, part III). Boundaries are usually marked out by tree, bush or path, by river, channel, tank, or by pit or hillock. The next step was to make the local authorities go round the plot and verify the boundaries described. When the land was thus identified

the process was shown by the planting of stones and milk-bush (ibid. 73, 76 B, &c.). When these physical preliminaries are gone through, the financial part of the transaction be ins, i. e. the payment of the price fixed. In case of land sold by the assembly the price is settled by the assembly. No. 71 (ibid. vol. III, part II) records the sale of one-twentieth *veli* of land to a lady by the assembly and states:—'We, the assembly of—— sold the following land at a price settled by the assembly ——. The price which we have to receive from her for this one-twentieth *veli* of land and on which we have agreed is one good *kāśu* current at the time. Having received this one *kāśu* in full into the hands we, the assembly of ——, sold the land and made and gave a deed of sale. For this one-twentieth *veli* of land, this alone shall be the record of sale, and this alone shall be the record of the final payment of the money, and the purchasers shall not be bound to produce another record of the final payment of the money besides this. Having thus agreed, having received this one *kāśu*, and having sold this one-twentieth *veli* of land at the full price, we, the assembly of ——, have received the money in full.' The deed of transfer to be drafted on the lines thus stated was finally engraved on copper or stone, and signed by the proper persons, including witnesses, the written deed being called *kaiyeruthu* (*S. I. I.*, vol. II, part I, no. 51). This is what the

inscription states on the point: 'By their (the assembly's) order I, the Madhyastha, wrote this document (called by the Sanskrit term *pramāṇa*); this is my writing Witnesses sign, with the following formula or declaration:—'I (so and so) know this; this is my writing'. The signature of these witnesses was further attested to by other witnesses whose statements were recorded in the following formula:—'This is the writing of so and so. Thus do I know (his occupation being also stated here).' In the present instance, the secondary witnesses were the priest of the temple and the blacksmith of the village.

Observance of legal formalities.

Inscriptions of this class thus show very clearly how thoroughly the conception of legal rights and the appropriate technical phraseology were mastered by the law officers of the village who can hardly be outdone in conveyancing by modern solicitors.

The medium exchange.

There were other particulars of the transaction which require notice. The payment of the price was made in the current coin (cf. '*kāśu* current at the time' above cited) or the standard gold of the country. The standard gold has been variously described as 'market gold', 'red gold brilliant as fire', 'gold passed by the king (such as Parakeśari) and weighed by the standard stone of the village or treasury', 'gold 9½ carats fine which is burnt, cut, heated to the brilliancy of fire, stamped and not

found to be deficient on the touchstone or the balance'. [See no. 19, *S. I. I.*, vol. III, part I: 'gold weighed in the balance'; no. 54 (ibid.): 'the gold of Ugappar'; no. 74 (ibid. part II): 'gold weighed by the standard of the city and equal in fineness to the *Madurāntaka-Madai*' (see also *Epigraphia Indica*, vol. V, page 106, notes 1 and 3); no. 64 (ibid.): good (i.e. of full weight) *kāśu* 'current at the time'.]

Description of the property on sale.

There was also a full recital of what the land would mean to its purchaser in rights and enjoyments, in liabilities and obligations, and in material resources. The rights conveyed meant those belonging to exclusive property, viz. the rights to sell, mortgage or transfer (no. 74, ibid., vol. I). The usual declaration ran as follows:—'The trees overground, and the hills underground, the wet land and the dry land, included within these boundaries in the four directions; including taxes and rights' (no. 59, ibid.). Another formula for the declaration was as follows:—'The wet land and the dry land enclosed within these four boundaries, including every place where the iguana runs, the tortoise crawls, and an anthill rises, the grass for the calves, &c., (no. 21, ibid., vol. III, part I). Other recitals enumerate fruit trees on the land (usually coco-nut, jack, and mango), seedlings, waste lands, low lands, hollows, and mounds. In the case of lands made

tax-free by adequate donations and granted for a public object, there was a declaration excluding previous donations connected with the land and expropriating the previous owners and also enumerating the immunities or exemptions (called by the Sanskrit term *parihāra*) and the privileges granted to the donees.

Right of Pre-emption.

The extent of the control of the assembly over the village land, even if in private ownership, is also evident from the fact that they exercised the rights of pre-emption as against outsiders. No. 354 of 1908 records the resolution of the assembly prohibiting the sale or gift of land to outsiders.

Public Works.

Another source of material well-being, next to land, is the public works of utility for which the assembly assumed considerable responsibility and created a special department. The Public Works Department of the rural administration was the tank committee of the assembly. The arrangements for the water supply both for wealth and health were provided for by the construction of wells and tanks, channels and canals, sluices and embankments, as mentioned in the inscriptions. Some of these public works were provided out of private benefactions, as we have already seen. When necessary, the assembly, as has been noted, exercised their land acquisition rights to obtain the land required for such works. In one case, an irrigation bank being breached, it

was strengthened and broadened by taking slices of adjoining lands belonging to private proprietors who were given due compensation. These agencies for irrigation and water-supply were of course maintained by taxation, and the distribution of the water was carefully controlled by the assembly. The general rule was that water was to be taken to a field 'in the manner that it flowed', i.e. along the lines of its natural course. Violations of this rule and attempts to modify the water-course in any one's favour were fined. Wet lands were classified into five kinds (called *kanārru*, *śadiram*, *śiragu*, *śadukkam*, *pāḍagam*) according to their share of the general water. They could be distinguished from one another by the main or sub-channels that irrigated them, and these channels were further distinguished by their designations after the names of kings, princes, nobles, and other high personages (e.g. *Vāykkāl*, *Narāyam*, *Nārāsam*). It was thus quite easy for revenue officers to locate the plots of lands from the descriptions recorded in their books giving these particulars. Besides water rates, special taxes were also levied to maintain the public works. We have already cited an instance of a tank committee levying a special impost for the tank bund (no. 23 of 1893). A Nellore inscription refers to a gift for the construction of rest-houses for travellers. Among village public works was also included the upkeep of

the pasture land (*go-pracāra-bhūmi*, *S. I. I.*, vol. II, part I, no. 22), and of roads (no. 9 of 1898).

Currency.

Besides land and public works, the assembly controlled the currency through the special department called the gold committee already noticed. There is one inscription giving interesting information regarding some of the operations of the assembly in this regard. On the purity of gold current in the village being doubted the assembly of Uttaramallūr appointed a special committee to inquire into the matter. The committee was appointed by election. It had nine members of whom four were residents from the street called Māḍavidhi, two from the army, and three from the Brāhman quarters (*śaṅkarappāḍi*). The members were to be neither too young nor too old, and were of course expected to be experts in the testing of gold. The committee then proceeded to examine the gold of all the inhabitants, and were instructed not to damage it by rubbing it too much on the touchstone. The gold dust that was obtained from rubbing was received on wax which was made over intact to the tank committee. It may be noted in this connexion that both the temple and the village had treasuries of their own. The up-country treasury is often referred to in the inscriptions (e.g. no. 68, *S. I. I.*, vol. II, part III). We may recall in this connexion the interesting evidence of the issue of coins by the assemblies of northern India.

The Village Secretariat.

The discharge of these various functions implied the existence of a village secretariat, and the organization of an office for the keeping of records, books, and accounts, and of a regular public service. Accounts of land transfers and revenue receipts were kept by a special department called *Tiṇaikkalam* (no. 88, in *S. I. I.*, vol. II, part IV). The accountant of the office of rents, rates, and taxes was called *Tiṇaikkaṇakkan.* Records of grants of land made tax free by donations were kept in a separate register called *varippottagam* (No. 22, ibid. part I, *pottagam* and *kanakku*, and no. 73, ibid., vol. III, part II, *vari*). In the case of lands granted to the temple with rights to collect the royal dues, the particulars were duly entered in the books (no. 21, ibid.). Cash accounts were posted in a separate book called the treasury book (*baṇḍāra-ppottagam*) (see H. Krishna Sastry's article on Cola administration in Bhandarkar Commemoration Volume, p. 234). The most important of the village officers were the accountant (Karaṇattān) and the arbitrator (Madhyastha) frequently referred to in the inscriptions. The Madhyastha signed the orders passed by the Sabhā (cf. no. 20 of 1893). The defalcation of the accountant was severely punished. No. 583 of 1904 shows that the punishment was not merely the dismissal of the incumbent but also the permanent disqualification for that office of his descendants and relatives. In another

record (no. 164 of 1906) we read of two absconding accountants whose properties were forfeited and sold by the assembly. The method of presenting the accounts by the accountant by the ordeal of red hot iron to be held by him has been already referred to.

Punishment of embezzlement.

Embezzlement of public funds is more severely punished in the Smṛtis. Viṣṇu says: 'He who embezzles goods belonging to a corporation shall be banished' (V. 167).[1] Yājñavalkya is yet more severe in his punishment of embezzlement, for he adds confiscation of property to banishment (II. 187).[2] Bṛhaspati, however, like Viṣṇu, confines the punishment to deportation of those who injure the joint-stock or general interests of the corporation or violate its constitution in other ways.[3] Lastly, a man, borrowing money for the purposes of his corporation but misappropriating it for his personal purposes, was compelled to refund to the corporation the amount thus borrowed (Kātyāyana).[4]

Viṣṇu. Yājña-valkya. Bṛhaspati. Kātyāyana.

The Village Public Office.

We may recall in this connexion the information furnished by North Indian evidence regarding the

[1] गणद्रव्यापहर्ता विवास्यः।

[2] गणद्रव्यं हरेद्यस्तु संविदं लंघयेच्च यः।
सर्वस्वहरणं कृत्वा तं राष्ट्राद्विप्रवासयेत्॥

[3] यस्तु साधारणं हिंस्यात् . . स निर्वास्यस्ततः पुरादिति।

[4] गणमुद्दिश्य यत्किञ्चित् कृत्वर्णं भक्षितं भवेत्।
आत्मार्थं विनियुक्तं वा देयं तैरेव तद्भवेत्॥

office of the guild or assembly. We have already referred to a Nāsik inscription stating how in the Nigama-Sabhā or in the assembly hall of a town the terms of a gift were publicly announced (*śrāvita*) and were then duly registered or entered in the books (*nibaddha*). We have also seen how archaeological exploration has brought to light monuments representing the public offices of the guilds.

Extent of the local self-rule.

From a review of these functions, it is clear that a vast sphere of administrative work was occupied by these self-governing bodies, leaving to the central government but very few points of contact with the ordinary concerns or the daily life of the people. It is indeed the case of a monarchy limited by a vast democratic organization which made itself responsible for the welfare of the masses. And this limiting condition of Indian absolutism had been in operation from times much anterior to the evidence considered here. For we find even a statement in the third century B.C. of Megasthenes that the popular assemblies of the South held in check the power of kings, while old Tamil literature brings out the same fact (V. Kanakasabhai, *The Tamils Eighteen Hundred Years Ago*, pp. 609 f.).

External functions: relations with the central Government.

It now remains for us to discuss what we have called the external functions of the assembly, i. e. its duties and obligations towards the central government or the king. The first of these duties and

obligations was, of course, the collection and payment of the royal revenue due from the village. The discharge of this duty was obligatory on the assembly. An assembly's refusal to undertake this duty led to the arrest of the members and sale of their land to recover the arrears of collection (no. 202 of 1912). The accounts of the assembly were audited by the king. Sometimes special audits were instituted to correct the defects of the usual ones. King Parāntaka I once (A. D. 932) issued a writ for such an audit of the accounts of a temple, the accountants of which were punished for their mistakes in the presence of the trades union committee (*nagara-vāriyakūṭṭam*) of that place.

Responsibility regarding royal revenue.

Regarding the royal revenue, the items were of course fixed by the king's officers on the basis of a land survey executed in co-operation with the assembly, which had a land survey committee, as we have already seen. Such a land survey seems to have been carried out under Rājarāja, as will appear from some of his inscriptions, from which we may gather that the survey was in theory correct to the minutest fraction of a square inch. Graduated rods of sixteen and thirteen spans for the measurement of land are also referred to. No. 5, (*S. I. I.*, vol. II, part I) refers to land being measured by *marakkāl* (a *rājakeśari*, the standard royal measure). Lands measured we re-entered in terms of *kuli* or *veli*.

Land survey by the King.

No. 87 of 1900 refers to the unit of survey as 'the rod equal to the royal foot (*śrīpāda*) which measured the whole world'. Land survey is also referred to in nos. 125 of 1896, 84 of 1897, and 87 of 1900.

Outside the Cola country the villages paid their revenue to the king both in kind and cash, but within the empire they usually paid in kind (no. 92, ibid., part IV). The land assessment was roughly 100 *kalam* of paddy for each *veli* of land (ibid. part V, page 17).

Penalty for arrears.

When the royal dues could not be paid through the default of tenants, the assembly had to apply to the king for permission to confiscate their lands. This is shown by an inscription (no. 9 in *S. I. I.*, vol. III, part I) recording a circular of the king that the period of default should be three years to justify that drastic step. It is interesting to note that this circular was first verbally dictated by the king to the royal secretary who then drafted it. It was then approved by the chief secretary and later communicated to the assemblies. Sometimes the process of this communication took a long time. We have very interesting information on this point in no. 330 of 1917 which shows that an order of the king dated in the 27th year and 137th day of his reign reached the assembly on the 30th year and 240th day, i. e. the communication took three years and 103 days to reach the assembly and take effect.

(Bureaucratic delay can go no further!) The order bears the signature of the royal secretary.

The machinery of interference with the local bodies.

A suitable administrative machinery seems to have been evolved for the systematic and regular exercise of royal interference in the affairs of the village. The central government seems to have had a special department for the purpose, what may be called the 'Local Government Board'. The minister in charge of this board was called the Adhikārin, frequently mentioned in the inscriptions dealing with the royal grants of land, and affairs connected with the temple or the assembly. He seems to have been assisted in his work by the Senāpati. There was a regular procedure laid down for carrying the king's decrees to the remote villages. The most usual occasion for such decrees was the grant of lands or villages to a temple or for any other public purpose, and there are numerous instances bearing on the subject which afford interesting information regarding the procedure followed in giving effect to the royal decree sanctioning such grants. The private grantor had first to submit a petition to the king specifying the grant he wished to make. Then the king passed his order. The order is written down to dictation by the private secretary (*rahasyādhikṛta*) in attendance on the king. Next the order is sent to the chief secretary who must signify his approval of it in

The officers of the 'Local Government Board

The prescribed procedure.

writing. The order is then dispatched from the royal secretariat to the Local Government minister, the Adhikārin, who has now to take necessary steps to give effect to it. This means that the officer has to go in person to the locality where the land to be granted is situated, and serve the king's decree upon the assembly in charge. The Adhikārin is generally accompanied by some local officers and assistants, among whom we find frequently figuring the Senāpati and the headman of the Nāḍu. The headman of the Nāḍu (a royal officer) would sometimes be alone deputed to accompany the members of the assembly for the purpose of ascertaining and verifying the stated boundaries of the village to be granted (see no. 73, *S. I. I.*, vol. II, part III). In one inscription it is stated that the king's order communicated to the assembly is respectfully obeyed by the assembly by their placing it on their head, and then they proceed to take the necessary steps for executing it by marking out the plot with stones and milk-bush, and drawing up the necessary document. In this case the document was written by a goldsmith (see Vijaya-nṛpatuṅga-varman copper plate in *Ep. Ind.*, vol. IV). Sometimes the king's order would be considered by the Mahāsabhā in a special meeting attended by all the members 'without a vacancy' in the court of the temple, and the meeting would pass the necessary resolutions while the king's officer, the

Adhikārin, deputed to serve that order, would be 'walking about' (so as not to interfere in the proceedings of the assembly). The entire procedure is very well described in no. 87 (*S. I. I.*, vol. III, part II) from which the following extract is made:—'The donor (named) having submitted to us that the above request (namely a grant of land to the temple) might be sanctioned, we ordered that it should be done thus, and directed the revenue officers *to enter that land in the account book*'. On this order the private secretary writes:—'Thus it should be caused to be done'. The order thus written and signed by the royal secretary was then copied by the assembly and signed with the further declaration: 'Thus the king was pleased to order by word of mouth'. No. 65 (ibid.) states:—'The following order was received with the signature of the royal secretary . . . . Accordingly the Adhikārin ordered:—"Let it be engraved on stone that those who shall cause injury to this charity will have disobeyed a royal order"'. In this particular instance, the order was issued by the king even while he was dining in his day-residence in a village where he had been probably on inspection.

No. 20 (ibid., vol. III, part I) shows, (*a*) the king ordering the grant of a village to a temple, (*b*) the king further ordering that the village 'should be entered in the revenue register as tax-free temple

land from the year forward', (*c*) the royal secretary communicating in writing the king's order, (*d*) the chief secretary and three citizens (named) 'unanimously' approving of the document, whereupon it is ordered (probably by the Adhikārin): 'Let it be entered in our revenue register in accordance with intimation received.' In accordance with his order, there is a meeting of several persons called 'heads of the assembly', together with the 'dispatching clerk'. The proceedings of the meeting cannot be traced in the inscription. Then we find stated the following final step in the transaction: 'Our revenue officers having entered this in the revenue register in accordance with the royal order, let it be engraved in copper and on stone that this village was given as tax-free temple land'. The document has several signatories, viz. the royal secretary, chief secretary, the 'Citizen', the 'Superintendent' (termed 'lord of the Nāḍu' before), other persons and the 'dispatching clerk', altogether ten persons. In no. 73 (ibid., vol. II, part III) the king's order sanctioning a private grant is served on the assembly of the Koṭṭam. The assembly seeing the order proceeded to expropriate the former owners of the granted village, excluded the previous grants to temples and Brāhmans, and the 'houses of the ryots' and then 'went to the boundaries which the headman of the Nāḍu pointed out, circumambulated the village from right to left

and planted stones and milk-bush round it'. Then the assembly formally assigned all rights to the donee. It is further stated in the inscription that the grant was executed 'in the presence of the local authorities (i. e. the assembly), the ministers (probably the Adhikāriṇs), and the secretaries', (literally, 'those who heard the words of the mouth of the king'). The Cola inscriptions Kl 1111 and 1112 A. D. (*Epigraphia Carnatica*, vol. X) throw some further light on the procedure followed in such transactions. They show (cf. p. 240) that the *royal secretary* communicates in writing the king's order; the *chief secretary* (named) along with three others (named) approve of the order and transmit it to the *revenue officers* who order 'that it should be entered in the revenue register in accordance with intimation received'. 'This order having been communicated by the revenue officers (eleven named), the *revenue accountants* (seven named) having met together made an entry in the revenue register. . . .

No. 635 of 1909, perhaps the first Cola epigraph on the subject (about A. D. 900), mentions the following officers as being connected with the execution of the king's orders making certain grants of land, viz., (1) the *secretaries* (named), 'who conveyed the orders (*ājñapti*) to the donee'; (2) the *uttaramantrin* (named) 'who orally questioned (i. e. reported ?) the order to the donee'; (3) the *copyist* (named) 'who

signed the document' and (4) the chief *executive* officer (named Olai-nāyakaṇ), 'who attested it'. The inscription also records how the royal orders were obeyed and 'carried on their heads' by the assembly of the village where the lands granted were situated No 150 of 1919 (App. B) gives the further information that 'the engravings on stone and copper of the edict issued by the king were compared carefully with the original documents on palm-leaves (*olai*), preserved in the Imperial Office of Registry' (*Mad. Ep. Rep.* for 1919, p. 100).[1]

Sometimes a private donor would communicate with the assembly direct in a letter announcing the gift (No. 72, ibid., vol. III, pt. II.)

We have now considered the kind of administrative machinery devised by the central government

[1] It is worth noting that the procedure regarding these royal grants as shown in the South Indian inscriptions follows closely the lines laid down in the Smṛtis. Yājñavalkya (I. 317–20) requires the king's order making a land grant to be written on a piece of cloth or copperplate together with a description of the size and boundaries of the land, the date, and the king's signature made by his own hand. Vyāsa gives the following further provision: 'The secretary for peace and war, by command of the king himself, may write down the royal mandate on a copperplate or cloth and the boundaries and measurement and the king should himself write with his own hand—"I, so and so, son of such and such a king, assent."' (See *Vyavahāramayūkha*.)

On the general system of official records the following apposite remarks of Fleet may be quoted (*Imp. Gaz.*, 1908, vol. II, p. 12): 'Except on the hypothesis of such a system of day-books, it is

through which the force of its supervision and direction could be exerted upon the affairs of the local goverment. We may now consider some further classes of cases and types of local problems which called for the interference of the central government and set in operation its machinery of supervision. These cases or problems were mostly connected with the discharge of their duties by the assembly as trustees of properties committed to their care and administration. The assembly were in fact in the last resort held accountable to the king in regard to their management of these properties according to the conditions of the trust.

Further instances royal interference.

Certain South Indian inscriptions throw light on the relations between the king and the local bodies in this regard, and record several interesting cases of the royal power being invoked and exercised in the interest either of the assemblies or of aggrieved parties. A village assembly had misappropriated some money which was deposited with them as a trust-fund for a temple. The temple authorities thereupon

difficult to account for the manner in which, for instance, the date of a record of A. D. 1008 at Tanjore (H. *S. I. I.*, III. 14) cites the 124th and 143rd days of the twenty-four year of the Cola king Rāja-rāja I, and the date of a record of A. D. 1113, (*E. I.*, IV. 73) cites the 340th day of the fifth year of the reign of his descendant Vikrama-Coladeva; for suçh details to be cited conveniently there must have been available some such books, in which the days were entered and numbered, and the events of them were posted up as they ran.'

sought redress at the hands of the king. He sent for both the parties and instituted a proper inquiry, as a result of which the guilt of the assembly was proved and they were fixed and made to refund the money to the temple (*Madras Epigraphy, Annual Report*, 1906–7, p. 71). An inscription assigned to about A.D. 1291 records the case of the misconduct of a Brāhman member of an assembly who brought 'a widow from a foreign country' and lived with her, and against him the assembly reports to the king (ibid., 1908–9, p. 83). In another inscription the same village assembly for the purpose of paying their homage to the king alienated some land to raise money for the cost of the journey (ibid., p. 84). An inscription assigned to A.D. 1303 records the case of a village assembly seeking the protection of the king against an intruder into the village who succeeded in intimidating the assembly and confining the members in the temple (ibid.). Another inscription mentions a village assembly appropriating some of its revenues towards securing the friendship of the king's agents (ibid., 1912–13, p. 114). In another, money is raised by the assembly for the performance of public prayers on behalf of a sick member of the royal family (ibid., 1898–9, p. 20). An inscription in the Great Temple of Tanjore (no. 57 in Hultzsch, *S. Ind. Inscr.*, vol. II, p. 227) gives a list of village assemblies,

each of which was required by the king to supply watchmen for the temple. One of the Tiruvallam inscriptions, assigned to A.D 991, records the visit of a royal personage to the temple. Observing that the offerings in the temple had been reduced to a minimum and that the temple lamps were only burning feebly, he calls upon the assembly in charge of the trust funds deposited with them for those purposes to render accounts (Hultzsch, *S. Ind. Inscr.*, vol. III, no. 49, p. 102). Another inscription of the same series (ibid., no. 57) records how two royal officers (the minister, Adhikārin, and the Senāpati) met at Kāñcipuram and called for the accounts of the villages belonging to the Tiruvallam temple. One of the two decided that the revenues from certain villages (named in the record) should be assigned to the temple for expenses not previously provided for, and called in the aid of a large assembly to make allotments from this revenue for various heads of the temple expenditure. In no. 268 of 1910 we find the assembly being fined by the king for not doing their duties as trustees of the temple property. The fines are to go to the royal exchequer and the 'council of justice'. A most important and typical case of royal interference is recorded in two inscriptions at Uttaramallūr (*Arch. Surv. of India, Annual Report*, 1904–5, p. 134), probably a Brāhmaṇa village, where local

government was very nearly wrecked by gross mismanagement, giving dishonest men opportunity even to embezzle communal funds and decline to render accounts. The king in A.D. 918–19 deputed one of his Śūdra officers with special instructions to set matters right. The settlement he made not having worked well, the king had again to interfere in A.D. 920–21 and to depute a Brāhmaṇa officer from the Cola country to improve upon the system devised by the Śūdra commissioner more than a year earlier.

Nārada on grounds for such interference.

Nārada (X. 4–7) has a general statement which covers the above and other conceivable cases of royal interference in the administration of the local bodies. According to him the ground for that interference arises when those bodies form combinations prejudicial to the interests of the community, or arm themselves without sufficient cause, or quarrel with one another, or take steps which imply hostility to the king, or cause waste of public money, or commit actions morally reprehensible, or contrary to the dictates of religion as laid down in the Vedas or, lastly, when actuated by hatred, the members combine against and boycott one of them.[1]

मिथः सङ्घातकरणमहेतौ शस्त्रधारणं।
परस्परोपघातं च तेषां राजा न मर्षयेत्॥
प्रतिकूलं च यत् राज्ञः प्रकृत्यवमतं च यत्।
बाधकं च यदर्थानां तत्तेभ्यो विनिवर्तयेत्॥

The commentators give examples of some of these grounds of royal interference with the local corporations. The corporation must not arm itself unless it is to repel some attack from within or without in connexion with the discharge of its duties of watch and ward within its territorial jurisdiction. Otherwise such arming will be treated as treason. Along with political crimes, moral crimes should also be checked by the king, e.g. 'prostitution of widows or other virtuous females among heretics or other sinful men even if it be a long-established institution. Prescription is no protection for immorality. The commentator on Nārada has a very interesting note on the subject. He explains that, though the local bodies are self-governing and are to be treated and maintained as such by the king, they must know that there are certain limitations upon their authority restricting their legislative and executive powers. These limitations are those imposed by morality, religion, and the interests of the central government or state, and must not be transgressed. For instance, they are not competent to frame such regulations as the following: '(1) that we shall oppose the payment to the king of the taxes due from his subjects; (2) that we shall always go about naked;

Examples of such grounds.

दोषवत् करणं यत् स्यात् अनाम्नायप्रकल्पितम् ।
प्रवृत्तमपि तत् राजा श्रेयस्कामो निवर्तयेत् ॥

(3) that we shall practise gambling; (4) that we shall cherish prostitution; (5) that we shall take to rash driving on the king's highway; and (6) that we shall worship the ant-hill under the *śākhoṭaka* tree, and so forth'. It is evident that no. (1) cannot be allowed, as being a measure of passive resistance aimed against the state, an attempt to make the administration impossible. Nos. (2), (3), and (4) offend against morality and are therefore illegitimate. No. (5) is dangerous to public safety, while no. (6) is an offence against religion. [See Colebrooke's *Digest of Hindu Law*, vol. II. p. 61.]

Punishment of treason in South Indian inscriptions.

Treason against the king is dealt with very severely in the South Indian inscriptions. An inscription assigned to A. D. 1230 records the compulsory sale by public auction of lands belonging to certain declared enemies of the state who were members of the village assembly; the price of the lands being fixed by eight Crown officers (*Madras Epigraphy*, *Annual Report*, 1910–11, p. 75). In another inscription (No. 125 of 1912) the king selects a Pāṇḍya chief as the headman of a village where a disturbance had been created by certain traitors to the king (*rājadrohin*), whom the new chief apparently expelled from the village. Thus the king could count upon the co-operation of the local bodies in stamping out treason.

Relations between

The relations between the local and the central

government have been very systematically dealt with in the *Artha śāstra* of Kauṭilya, in which has been well worked out the delimitation of the boundaries of the two administrative authorities. The province in Kauṭilya's system was made up of four divisions or districts each of which was placed under a *sthānika* (a term which, curiously enough, is found in the South Indian inscriptions already referred to). Groups of five or ten villages were placed under the royal agent called Gopa. The duty of this agent seems to have been to supervise the working of the rural administrative machinery under the self-governing villages. The point of connexion between the village and the central government was the taxation imposed upon the former by the latter. This implied the execution of an elaborate land survey under a variety of items enumerated by Kauṭilya, some of which are similar to those mentioned in the inscriptions relating to the land survey of the Cola emperors. The taxable capacity of each village was accurately ascertained by the officers of the central government with reference to the following data, namely:

central and local government in the *Kauṭilīya*.

(1) The number of houses or holdings which were tax paying and non-tax paying.

(2) The number of inhabitants in each household of each of the four castes.

(3) The number of cultivators, cow-herds, traders, artisans, and serfs.

(4) The number of live-stock.

(5) The amount and nature of taxes and fines realizable from each household, such as contributions of cash, labour, &c.

(6) The number of males and females in each house, with details regarding their age, occupation, character, income, and expenditure.

It will thus be apparent that the extent of control exercised by the central government over the village was determined by the necessity not merely of securing the revenue due therefrom, but also of maintaining a firm grip upon the sources of that revenue, potential as well as actual, for the purposes of establishing proper fiscal relations.

The *Kauṭilīya* also supports the southern evidence in regard to the supervision exercised by the central government for the proper discharge of the duties of the villages as regards the gifts, sales, and mortgages of land and other properties.

§ 3

LOCAL FINANCE

Local finance.

THE manifold kinds of administrative activity shown by these ancient Indian local bodies, embracing not merely the sphere belonging to the ordinary and normal civil functions, but also that covered by much socialistic, philanthropic, and

Sources of municipal revenue.

Bṛhaspati.

Yājñavalkya.

charitable work, undoubtedly imply the existence of an adequate public fund at the disposal of these institutions. We have some evidence on the subject in some of our Smṛti works. The sources of the corporation finances are thus indicated by Bṛhaspati (XVII. 24)[1]: 'Whatever is obtained or preserved by the members of a fellowship or earmarked for a particular purpose of the society or acquired through the king's favour is common to all (members of the society).' Another source of that joint-stock is indicated by Yājñavalkya (II. 190),[2] viz. the profits which an individual member of the association may earn in the execution of a public work entrusted to him by the association. These profits legally vest in the corporation, and cannot be appropriated by the individual who has reaped them. If he unlawfully appropriates them he has to refund eleven times the amount of the original profits as a penalty. Thus the sources of the public fund of corporations comprise the contributions of individual members, the gifts of the king, the profits earned on public works, and the proceeds from penalties which included confiscation of property for serious offences, as stated by Bṛhaspati and

[1] यत्तैः प्राप्तं रक्षितं च गणार्थे वा प्रकल्पितम् ।
राजप्रसादलब्धं च सर्वेषामेव तत्समम् ॥
समूहकार्यप्रहितो यल्लभेत तदर्पयेत् ।
एकादशगुणं दाप्यः यद्यसौ नार्पयेत्स्वयम् ॥

Viramitrodaya.

Yājñavalkya. But the *Vīramitrodaya* mentions an additional source of municipal revenue, viz. octroi duties on goods sold within municipal limits.[1] The

Vivāda-ratnākara.

Vivādaratnakara, in its chapter on immunities enjoyed by towns, also mentions some other sources such as those connected with the rights granted to the municipalities to import and export goods without the sanction of government (and thereby earning immunity from the necessary cesses), to levy a duty on goods carried on people's shoulders, and to decide disputes relative to the conduct of the minor associations existing within the municipal limits.[2] When these sources of municipal revenue proved inadequate, recourse was had to private borrowings or state help.

Appropriation.

The utilization of this joint-stock was determined by the corporation itself either every month or six months in the manner following,[3] viz. (*a*) by division among the members or partners of the association, or (*b*) by donations to the deserving, such as the infirm, diseased, distressed, blind, and idiotic, orphans and

[1] जनपदेतु क्वचित् विक्रेतृसकाशात् शुल्कग्रहणमित्यनेकविधः समयो वर्तते ।

[2] निष्क्रमणं प्रवेशेष्वनिवेदनम् स्कन्धवाह्येषु शुल्को गणसमयश्रेणीपूगव्यवहारनिष्ठा ।

[3] देयं निःस्ववृद्धान्धस्त्रीबालातुररोगिषु ।
सन्तानिकादिषु तथा एष धर्मः सनातनः ॥
ततो लभ्येत यत्किञ्चित् सर्वेषामेव तत्समम् ।
षाण्मासिकं मासिकं वा विभक्तव्यं यथांशतः ॥
(Bṛhaspati)

helpless women, or (*c*) by expenditure on such public works as might be decided upon by the guild. The division of the net joint-fund among the members was of course proportioned according to the amount contributed to the fund by each individual member (i. e. according to his share in the joint-stock). It is also clear from the words of Bṛhaspati cited above (p. 251) that all funds bestowed by the king on a single member of a corporation belonged to all or the entire body, thus showing the communistic principles on which the corporation was governed. All expenditure of the society, besides royal gifts, is similarly common to all.

Local Finance in South Indian inscriptions.

As usual the evidence of the south is far more copious and detailed than that of the north regarding local finance and the sources of rural revenue. Much of this revenue was no doubt due to the central government, and in collecting it, or tapping its sources, the assembly acted as mere agents or farmers of the royal revenue. It is, however, apparent from the evidence that the assembly had independent sources of revenue apart from those fixed by and due to the king. This is clear, for instance, from the following statement in an inscription relating to a grant of land for a temple :—'Out of the money which this village has decided to levy from this land the money which accrues from the

Sources of revenue, royal and rural.

second crop assessment has to be deducted from the amount due by the village'. (*S. I. I.*, no. 86, vol. III, pt. II). No. 192 of Appendix C of 1919 shows how the assembly impose a special tax for the maintainance of a tank upon the lands irrigated by it, and the tax was to be collected by the tank committee of the assembly.

The sources of village revenue, whether ear-marked for the central government, or local, are variously described in different inscriptions. The charges on land seem to have been of two kinds. They might be dues of money (*kaḍamai*) and dues of labour (*kuḍimai*). The list of immunities or exemptions (*parihāra*) sanctioned in favour of lands consecrated to public or holy purposes indirectly indicates the possible sources of local taxation. One such list enumerates the following taxes, namely, duty on oil-presses and looms, tax on well-diggers, the fee in money on marriages, fee on potters, fee on goldsmiths, duty on toddy-drawers and shepherds, fee on stalls, brokerage fee, the fee levied for remunerating the man who brings orders from the king, the royalty paid for manufacturing salt, fee on a good cow and bull, fee on baskets of grain brought to the market, fee on areca-nuts in shops, &c. All these are receipts 'which the king could receive and enjoy within the boundary of a village.' Along with these exemptions certain privileges were also granted

to such lands in a separate, written declaration or document termed *vyav sthā*, namely, permission to build mansions of burnt tiles, to grow red lilies in gardens, to plant coco-nut trees in groves, to sink reservoirs and wells, to erect large oil-presses, to prevent toddy-drawers from climbing the coco-nut and the palmyra trees and the like. Each of these items must have been a source of revenue to the local authorities (nos. 98 and 99, *S. I. I.*, vol. II, pt. V). Another interesting list of these local taxes is given in (no. 73, ibid., vol. II, pt. III). Every private proprietor of land had to pay, in addition to the charges enumerated above, the share of the king, of the Brāhmaṇas, of corn-ears, of the *karnam* who measures paddy, of the headman, &c.; taxes on pastures, best cow, best bull; the share of the taxes due from the village to the Nāḍu or the district (Nāḍu-Vagai); the share of the pay of the accountant and also of the king's minister or Adhikārin (the pay of this minister for local government being thus charged to the local rates); the tax on planting water-lilies, the share of the water-lilies, the fourth part of the trunks of old trees of various kinds including areca-palms and coco-nut trees; fines for digging river channels and inundation channels; water rates levied on water of such channels when utilized either by cutting branch channels or by means of levers or baskets; taxes on

such marketable commodities as ghee and cloth; taxes on the practice of such professions as those of hunters, messengers, and dancing-girls. In another inscription, tolls or octroi duties and a tax for village police are mentioned among the independent sources of local revenue. It adds to the list of usual imposts those on the ascetics known as *ājīvakas* as well as the fish caught in tanks (nos. 59, 61, ibid., vol. I). Another inscription states that in the case of a village granted by the assembly, the assembly made it tax-free and decided that no forced labour would be demanded by them. This decision was agreed to by the annual supervision, tank, and garden committees.

There were, however, certain portions of villages which were regarded as communal and as such exempted from taxation. These were:—'The village site, the village tank and its banks, the portion occupied by the artisans and the pariahs, the burning-ground, the irrigation channels, temples and some specified shrines, ponds in the middle of fields, flower-gardens, streams, the portion occupied by toddy-drawers, the portion occupied by washermen, the water pond used by pariahs, the portion occupied by polluting castes, highroads, rivers, the sacred courts (i. e. temples), the cremation ground of the pariahs, the stone-fence (for cattle), the stables (*koṭṭagāram*), the village threshing-floor, grazing-

ground for calves, wells and cisterns' (ibid., vol. II, part V, p. 19). Nos. 74 and 75 of 1887 enumerate the items of revenue payable in kind and cash, among which we find the following new ones, viz. stamp duty, tax on vehicles and contribution for Kārttikai festivals.

We may now attempt a rough classification of the numerous sources of the revenue of local administration. The different sources are very well distinguished in no. 59 of 1914. The most important source of revenue is land; and its assessment will vary with its different uses or products. Thus it will vary according as the land is paddy field or newly reclaimed forest, or is dependent on irrigation. Lands producing different crops are also differently assessed. Turmeric, ginger, onions, garlic, &c., are classed together for purposes of assessment; so are brinjals, pumpkins, &c.; castor seeds, mustard, gram, wheat, paddy, &c., are also similarly assessed; and so forth. Plantains and sugar-cane are equally treated. Dry crops are considered separately by themselves, though there are different varieties, such as areca, coco-nut, and jack which are differently assessed. Trees other than these are not taxed. Next to this levy on land, we have the taxes on workshops and professions. Among the former are mentioned those of weavers (the assessment varying according to different looms, such as lace looms, &c.),

Classification of the sources.

the oil-monger, the blacksmith, the gold- and silver-smiths, carpenter, potter, the brazier, &c. The shopkeeper has to pay a licence, as also the barber and the washerman. It is interesting to note that such learned professions as those of judge and the member of the village council are also taxed together with that of the collector of tolls. Thus imposts were levied upon practically all the important economic pursuits developed in the rural areas, such as those connected with agriculture (including gardening and forestry), manufactures (arts and crafts), trade and the services rendered by bodily and mental labour.

CHAPTER VIII

SOME IMPORTANT CORPORATIONS

Examples of corporations of merchants (*nānādeśīs*).

Their congregation of 1,500 representatives.

As has been already stated, villages and assemblies other than those constituted by the Brāhmaṇas alone also existed. We shall deal with those of merchants first. No. 349 of 1912 (*Report* for 1912–13, p. 99) from Vīralūr in the North Arcot district, assigned to the time of Rājarāja I, refers to a gift by a guild of *nānādeśī* (merchants, literally, those who come from or have dealings with various countries). But an inscription from Basinikoṇḍa in the Chittoor district refers to certain merchant-guilds, which apparently had flourished from very early times with an organization that established their influence over allied communities in distant parts of India (no. 342 of 1912, *Report* for 1912–13). The record relates that the community, consisting of Nāḍu, Nagara, and Nānādeśī, met in a special congregation at Śīrāvalli, comprising 1,500 representatives of all Samayas (religious denominations) coming from the four and eight quarters as well as of their followers of various sects and tenets. The object of the conference was to declare

Śirāvalli a Nānādesīya-Daśamaḍi-Erivīrapattana, and to confer certain privileges on the town. Such privileges were perhaps similar to those mentioned in another inscription assigned to the time of Rājendra-Cola I (no. 256 of 1912, *Report* for 1912–13), which gives some interesting details regarding the same merchant guild. It states that the guild were praised by 500 *vīra-śāsanas* (i. e. edicts ?) for their deeds, were protectors of the Valañjiya religion and devotees of Bhattārikā (i. e. Durgā ?), and comprised various sub-divisions coming from the 1,000 districts of the four quarters, the 18 towns, the 32 *velarpuram*, and the 64 *ghaṭikā-sthāna*. These Nānādeśīs met together at Mayilārpura (i. e. Mylapore) and decided to convert Kāttūr, which was originally Ayyapulal into a Vīrapattana, and thus to exempt its inhabitants from all communal contributions, entitling them to receive twice what they used to get previously (perhaps in the matter of honorary privileges). They resolved also that henceforward the town was not to be inhabited by such members of the mercantile classes as (1) demanded taxes or tolls by threatening people with drawn swords or by capturing them, and (2) wantonly deprived people of their food or otherwise afflicted them. They also declared that those who offended against this decision were placed outside the Valañjiya community (i. e. were excommunicated).

The extent of their constituencies.

A record from Baligāmi in the Mysore State supplies also a very long eulogy of these merchants and states, in addition to what has been stated in the Kāṭṭūr epigraph, that they were heroes (*vīras*), born to wander over many countries ever since the beginning of the Kṛta age, penetrating regions of the six continents by land and water routes and dealing in various articles such as horses, elephants, precious stones, perfumes, and drugs either wholesale or retail (*Ep. Carn.*, vol. VII, Sk. 118; and *Madras Epigraphy*, 1912–13, p. 100). This boast of the mercantile community is justified by the existence of stone records even in Ceylon and Burma which refer to their communal gifts in those countries. The Vaiṣṇava temple at Pagan in Upper Burma was built by the merchants (*nānādeśī*) of that town (*Ep. Ind.*, vol. VII, p. 197).

An interesting Mysore record, showing articles of their trade.

Similarly, no. 88 of 1914 (*Report* for 1914–15, p. 104) in the tenth year of Jaṭāvarman Vīra Pāṇḍya refers to an assembly of merchants, similar of importance to the Hansa League, from 18 sub-divisions of 79 districts meeting together in a conference in which they decide to set apart the income derived from merchandise for repairs to a temple, e.g. $\frac{1}{4}$ *paṇam* on each bundle of female cloths, each *podi* of pepper, areca-nuts, and on each gold piece, and the like.

Another merchant league.

But besides these Hansa Leagues of merchants, there were also other assemblies of certain special

Examples of some special corporations.

communities which from their numerical strength attained to a great measure of political importance. These were the assemblies of:

(1) The *Velaikkāras.*

(1) The *Velaikkāras.* No. 600 of 1912 records a shrine being placed under them, and they agreed to 'protect the villages belonging to the temple, its servants, property, and devotees, even though, in doing this, we lose ourselves or otherwise suffer. We provide for all the requirements of the temple so long as our community continues to exist, repairing such parts of the temple as get dilapidated in the course of time, and we get this our contract which is attested by us engraved on stone and copper so that it may last as long as the moon and sun endure.' The community was led by the Valañjiyār and Nagarattār sub-sects of merchants who extended their trade all over the country, and are represented by the present Baṇajiga and Nagartta communities of the Kanarese country who are mostly Liṅgāyat Śaivas and Vaiṣṇavas respectively. The Velaikkāras emigrated into Ceylon and formed a body of mercenaries employed by the Sinhalese kings. They are also mentioned in the Tanjore inscriptions of the Cola kings, of whose army they formed a part (*Mad. Ep. Report*, 1912–13, p. 102).

(2) The *Iḍaṅgais* of 98 sub-sects.

(2) The *Iḍaṅgai* community of 98 sub-sects. No. 489 of 1912 (*Madras Epigraphy*, 1912–13, p. 109) registers a compact drawn up on their

behalf by the Śrutimans of Uṭṭattūr (who were probably a sect of cultivators of the Iḍaṅgai community) assembled in the *maṇḍapa* of the temple, called Uttamasolan. The compact was to the following effect: 'We, the members of the 98 subsects, enter into a compact in the fortieth year of King Kulottuṅga Cola III, that we shall hereafter behave like the sons of the same parents, and what good or evil may befall any one of us will be shared by all. If anything derogatory happens to the Iḍaṅgai class we will jointly assert our rights till we establish them. Those who behave differently from the rules shall not be recognized as Śrutimans (*Mad. Ep. Report*, 1912–13, p. 109). As regards their distinguishing symbols it is stated: 'It is also understood that only those who during their congregational meetings to settle communal disputes display the *birudas* of horn, bugle, and parasol shall belong to our class. Those who have to recognize us now and hereafter in public must do so from our distinguishing symbols—the feather of the crane and the loose-hanging hair. The horn and the conch-shell shall also be sounded in front of us and the bugle blown according to the fashion obtaining among the Idaṅgai people' (ibid.). A later record from Āḍutarai in the Trichinopoly district (no. 34 of 1913, App. C, in *Madras Epigraphy*, 1912–13) refers again to the Valaṅgai 98 classes and the

Iḍaṅgai 98 classes who enter into an agreement among themselves against the Brāhmaṇas and other landlords who oppressed them. Similarly, nos. 59, 361, and 362 of 1914 (in *Madras Epigraphy*, 1914–15, p. 106) register an agreement entered into by the assembly of Parāntakanāḍu and the Valaṅgai 98 and Iḍaṅgai 98 sub-sects regarding payment of certain dues to the king or temple [A. D. 1429–30].

(3) The *Valaṅgai* of 98 sub-sects.

(3) The *Valaṅgai* community of 98 sub-sects as referred to in the inscriptions nos. 34 of 1913, App. C, and 59, 361, 362 of 1914 noticed above.

(4) The *Pallis*.

(4) The *Pallis* referred to in no. 35 of 1913 (in *Madras Epigraphy*, 1912–13). They rescued the images of gods and 63 devotees (*nāyanmārs*) which were being carried away to Dvārasamudra (Halebīd), and agreed to provide for the necessary upkeep for their worship, viz. 100 *kalam* of rice and 5,000 *kāśu*. They collected this amount by levying on each family a tax of 1 *kuruṇi* of rice and 50 *kāśu*, which they realized, if necessary, by 'taking away vessels, breaking pots and beating them'. For this voluntary act of self-sacrifice for and service to the temple the Pallis were honoured in the temple by special privileges and presentation of silk cloths. These coercive measures were of course permitted by the king. No. 368 of 1914 (*Madras Epigraphy*, 1914–15) also refers to three classes of Pallis included in an assembly representing various groups of people.

(5) The *Ayyapolil* guild of merchants, consisting of 500 members with their organization extending almost throughout Southern India, as indicated in a record in the reign of Vikrama-Cola (no. 97 of 1915 and *Mad. Ep. Rep.*, 1916, p. 121). They are 'known from a large number of epigraphical records to have run a flourishing trade in the early centuries of the Christian era both by land and sea'.

(5) The *Ayyapolil* guild of merchants of 500 members.

(6) The Vaiśyas of the *Kuberavaṃśa*, devotees of Śiva and Viṣṇu, with many branches, whose chief object in life was the maintenance of Dharma, and whose members were noted for their charities, such as construction of temples, tanks, wells, and water-sheds, planting of groves, patronage of poets, &c. (*Mad. Ep. Rep.*, 1916, p, 151).

(6) The Vaiśyas of Kuberavaṃśa.

(7) The Deśi-merchants of the Kubera lineage referred to in nos. 15, 16 of 1916, App. C, 'whose sole delight was distribution of food to the needy, the orphans, and the suppliant beggars' To the temple of Deśīśvara they made a communal gift of a fixed fee on all the articles in which they traded, such as musk, saffron, yak-tails, cuscus, cotton, cotton-thread, beads, sealing-wax, areca, rock-salt, wax, resin, hemp, wool, camphor, sandal, silk-thread, tiger-skins, women's cloths lead, and tin. The form of this remarkable gift points not only to the efficiency of the machinery for the collection of these taxes on the profits of trade in a variety

(7) The *Deśi-merchants*.

of articles, but also to commercial progress and economic prosperity, as implied in the very volume of that trade supporting taxation on its profits.

A remarkable craft-guild of oil-mongers and their self-denying ordinance.

Like the merchant-guilds noticed above, there were also some important organizations of craft-guilds. No. 261 of 1909, already noticed, refers to the guild of oil-mongers of Kāñci and its suburbs, and also those of twenty-four Nagaras, who met in a temple of Kāñcimānagar, and decided that the usual tax on oil-mills in the temple premises at Tirukkacchūr should be paid to the temple together with a specified quantity of oil and a voluntary fee of one *kāśu* per oil-mill. This decision they agreed to observe as *jātidharma*, i.e. duty which every member owed to his caste. The taxes which were thus assigned by the assembly of oil-mongers in favour of the Tirukkacchūr temple were not what they had ordinarily to pay to government, but what their spontaneous offerings diverted for application to communal purposes.

A seamen's guild and concessions given by the king's charter.

There were again some remarkable examples of seamen's guilds. One of these is referred to in the Moṭṭupalli record of the Kākatīya sovereign Gaṇapatideva-Mahārāja (no. 600 of 1909, *Madras Epigraphy*, 1909–10) who grants a charter of immunity (*abhayaśāsana*) to merchants trading in their vessels from the seaport of Moṭṭupalli with islands and coast towns in distant countries. The necessity for the

charter was that kings of old used to confiscate by force all the cargo, gold, elephants, horses, precious stones, &c. of vessels *en route* from one country to another, which, driven by contrary winds, happened to be stranded and wrecked in the sands near Moṭṭupalli. 'Seeing that the protection (of my subjects) is far more important (to me) than my life', says Gaṇapati, 'we have remitted out of compassion all (taxes) except *kūpaśulka* on these enterprising (merchants) trading on sea, in order to secure fame and to maintain the principles of a righteous government.' The inscription gives the details of the *kūpaśulka* which were akin to the modern custom-house duties. They comprised fees on sandal-wood, country (?)-camphor, China-camphor, pearls, rose-water, ivory, civet (*javādu*), camphor-oil (*karpūra-taila*), copper, zinc, *riseya* (resin ?), lead, silk-thread, corals, perfumes, pepper, and areca-nuts. This long list of cargo shipped by the merchant-men of the Moṭṭupalli seamen supports the glowing apprecia-tion and description of Marco Polo of the trade at the port of Mutfili (identified with Moṭṭupalli), which he visited during the reign of the Kākatīya queen Rudramādevī, about the end of the thirteenth century A. D.

Renewal of the charter a century later with new concessions.

There seems to have been a renewal and amendment of this charter a century later in the reign of Annapota-Reḍḍi (mentioned in no. 601 of 1909)

who permitted 'the merchants of Moṭṭupalli who traded with distant islands and coast-towns to stop at their will in their homes at Moṭṭupalli and to leave them for other places (without any official pressure). He also remitted the tax called *aputtirika-daṇḍam* on foreign merchants (who traded in his dominions). Further, the duties on gold and silver were abolished; a third of the export duty on sandal was remitted, and merchants were allowed the liberty to sell their goods brought from other shores to anybody under any conditions, and to carry in exchange likewise to other countries any goods they chose. It was proclaimed that henceforward no cloths would be detained in the warehouse (?), and tolls on other articles would under no circumstances be different from what they were before.' The following rates of duty were fixed:

(A) Goods coming from the southern side—on 100 (packages) of import 3 (packages), and on 100 cloths of export 2 coins (?).

(B) Goods coming from the north—on 100 packages of import 5, and on 100 cloths of export 3 coins (?).

(C) Goods exported to foreign islands—3 coins (?) on 100 cloths;

(D) $7\frac{1}{2}$ (?) on 100 pearls.[1]

[1] 'It is curious to note that this interesting record is written in both the Tamil and Telugu languages. It is not unlikely that

An assembly of Bhaṭṭas for decision of social questions.

Among other minor and sundry kinds of assemblies we may notice that of the Bhaṭṭas of Rājāśraya-caturvedi-maṅgalam referred to in no. 479 of 1908 (*Madras Epigraphy*, 1908–9) which records that this learned assembly laid down on the authority of Gautama, Baudhāyana, Kauṭilya, and Yājñavalkya the profession to be followed by the *anuloma* sect called the Rathakāras. This epigraph thus shows that questions of castes and professions were settled at the beginning of the thirteenth century A. D. by learned assemblies on the authority of past teachers. No. 49 of 1887 records an instance of Brāhmans laying down social laws for their own caste. It refers to a meeting, in the presence of the God Gopīnāth, of all classes of Brāhmans who settle the sacred law that they should conclude marriages by *kanyādāna*, gift of the bride, and not after receiving gold. Violation of this rule was made punishable by the

the reason is to be sought for in the fact that the majority of the merchants whom this charter concerned were, perhaps, Tamils, whose capabilities as sailors from very early times have been proved beyond doubt by the series of conquests on sea registered in the eulogistic introductions to the records of the great Cola kings, Rājarāja I and Rājendra-Cola I. The Telugu version of the epigraph [No. 602 of 1909] supplies the additional information that the pillar on which this charter to the sea-merchants is engraved was set up under orders of the minister Somayāmātya in the town of Mukulā, which was probably a surname either of Moṭṭupalli itself or of one of its suburbs' (*Mad. Ep. Report*, 1909–10, pp. 107, 118).

society by excommunication and also by the king. Thus marriage was to be regarded as a sacrament, and not a commercial transaction. Secondly, we may instance the composite assembly of various groups of people, including three classes of Pallis, four or six subdivisions of professionals, artisans, and other castes as referred to in no. 368 of 1914 (*Madras Epigraphy*, 1914-15).

A composite assembly of various classes.

CHAPTER IX

§ 1

PUBLIC INSTITUTIONS

We have now considered the subject of local government in ancient India in all its aspects on the basis of our available evidence, but our study will be incomplete without a reference to the growth of the various kinds of public institutions, which was one of the most remarkable characteristics of communal life, proving the success, to some extent, of the indigenous administration. We have already referred to the existence of public halls in the villages and towns of ancient India, where meetings of the assembly and other public functions were held. But besides these halls there were also other kinds of public buildings and institutions which may be noted in this connexion. One inscription registers the gift to a temple of a Maṭha (=a college) in the western street for reciting the Veda (ibid., p. 125). Another refers to the Maṭha of Āṇḍār Sundara-Perumāl at Kāñcipuram (ibid., p. 123). A third inscription (ibid., p. 86) registers the gift

of one house and a house-garden of 41 feet for purposes of a Maṭha, together with some land mortgaged to it as a guarantee for the regular supply of rice. 'The succession of pupils (of the donee) shall enjoy this Maṭha as long as the moon and the sun endure.' An inscription attributed to Kṛṣṇa III of the Rāṣṭrakūṭa dynasty [A. D. 940–56] mentions fines payable into court called *dharmāsana* (ibid., vol. III, p. 12). An inscription of the eastern Cālukya dynasty mentions two *sattras* (i. e. alms-houses for Brāhmaṇas (*S. I. Ins.*, vol. I, p. 61), and another speaks of a *maṇḍapa* 'which was to be used as a watering-shed and *sattram*' (ibid., p. 136). No 465 of 1909 (*Mad. Ep. Rep.*, 1910, p. 41), assigned to Kulaśekhara I, records a gift of two villages for a Vaiṣṇava Maṭha, where learned Brāhmaṇas from eighteen Vaiṣṇava countries were to be fed. No. 181 of 1912 refers to a maṭha-pati, who is an important functionary frequently appearing on temple councils in later records. No. 509 of 1912 (*Mad. Ep. Rep.*, 1913, p. 57) records a sale of land belonging to a temple for a Maṭha. An interesting series of inscriptions from the Kurnool district, assigned to the middle of the thirteenth century A.D., refers to a famous Maṭha named Golaki Maṭha, which is stated to have wielded its spiritual influence over three lakhs of villages under a succession of famous teachers. Another important Maṭha

was that of the Mahāvratins mentioned in no. 423 of 1914 (*Mad. Ep. Rep.*, 1915, p. 42). A series of epigraphic records in South India relates to Maṭhas connected with Śaivism, which grew in power and popularity under the Cola kings, so that by the thirteenth century we notice a number of them under Śaiva Sannyāsins influencing the greater part of the Tamil country. No. 467 of 1908 refers to a Maṭha called Tiruvāgīśam-Rājendraśolan at Tirucchattimuram, and another Maṭha at Śembaikkuḍi (*Mad. Ep. Report*, 1908–9, p. 103). Other Maṭhas connected with the Śivayogins or Māheśvaras are mentioned in nos. 164, 177, 402, 583 of 1908. Besides the Maṭha there was also another institution called *guhai*, or a monastery. No. 471 of 1912 records the gift of such a monastery for a Śaiva saint by a village, which also provided for the feeding of all strangers who might visit it. The property of this monastery was confiscated in the twenty-second year of Kulottuṅga Cola III, when there was a general crusade against these non-Brahmanical Śaiva Maṭhas instigated by the Brāhmaṇas. The Maṭhas were not, however, altogether suppressed, since we find them flourishing in the time of Rājarāja III.

Schools of learning.

Villages had not only their public halls and temples, Maṭhas, and monasteries, but also schools of learning. One of the most interesting of such

schools is mentioned in no. 202 of 1912 (*Mad. Ep. Rep.*, 1912–13, p. 110). which registers 'the generous gift of a donor who assigned some land for the maintenance of a grammar-hall in the temple at Tiruvorraiyūr called '*Vyākaraṇa-dāna-vyākhyāna-maṇḍapa*, for the upkeep of the teachers and pupils who should study grammar there, and for the worship of the god Vyākaraṇa-dāna-Perumāl (i. e. Siva), who in that very *maṇḍapa* was pleased to appear before Pāṇini-Bhagavat for fourteen continuous days and to teach him the first fourteen aphorisms (with which Pāṇini's grammar begins) known as Māheśvara Sūtras'. This famous school of grammar is referred to in other later records. No. 110 of 1912, assigned to the thirteenth year of Sundara-Pāṇḍya-Deva III, registers an agreement by which the residents of Pular-Kottan submit to a special tax levied in the northern and southern divisions of Tiruvorraiyūr for maintaining this historic Maṇḍapa and other similar buildings of the temple. No. 201 of 1912 in the thirty-eighth year of Kulottuṅga Cola III, registers the gift by a private person of a village for the upkeep of the same grammar-hall, and refers to the king's declaration making the village rent-free. No. 120 of 19 e again registers the king's gift of a village and some gold ornaments to the god Vyākaraṇa-dāna-Perumāl at the instance of a female devotee, the king being

A school of Pāṇini; the history of its maintenance.

Kulottuṅga Cola III. One of the temple priests was also called Vyākaraṇa-dāna-bhaṭṭa after the god Śiva, who 'gave' grammar to Pāṇini.

Similarly, no. 182 of 1915 refers to the benefactions of a Vaiśya named Mādhava, who constructed the surrounding halls of a temple, and also a Maṇḍapa called Jananātha-maṇḍapa where, by the royal grant of Vīrarājendra-Deva (A. D. 1062), were established (1) a school for the study of the Vedas, Śāstras, Grammar, *Rūpāvatāra* (perhaps the name of a grammatical work recently discovered), &c., (2) a hostel for students, and (3) a hospital. The students were provided with food, bathing-oil on Saturdays, and with oil for lamps. The hospital was named Vīraśolan (*scil.* Vīra-Cola), and provided with fifteen beds for sick people. The staff and establishment for the school-hostel and hospital comprised one physician in whose family the privilege of administering medicines was hereditary, one surgeon, two servants who fetched drugs, supplied fuel, and did other services for the hospital, two maidservants for nursing the patients, and one general servant for the hostel and hospital. Among the medicines stored in the hospital are mentioned *āśā-harītaki*, *gomūtra-harītaki*, *bhallātaka-harītaki*, *bilvādi-ghṛta*, *vajra-kalpa*, *kalyāṇa-lavaṇa*, and some varieties of *taila* or oils—medicines which are still in use under the indigenous medical systems of the land.

A college, a hostel, and a hospital.

This is probably one of the best pieces of available evidence on the schools, hostels, and hospitals of ancient India.

Other examples of similar institutions.

No. 518 of 1915 similarly registers the gift of a Cālukyan queen to the 140 *mahājanas* of a village belonging to her for 'the maintenance of a feeding-house (*sattra*), the commentator (on *śāstras*), the reader of the Purāṇas, and the teacher of the *Ṛg-veda* and *Yajur-veda* to students.' No. 233 of 1911, which is a Cola epigraph, registers the sale of land by an assembly to a generous man who made a gift of it as a Bhaṭṭavṛtti to those learned scholars who expounded the Prābhākara (i.e. the Mīmāṃsā philosophy of Prabhākara) in the temple. This shows how the scope of literary patronage was gradually extending to subjects other than the more usual and orthodox ones like the Vedas, the *Mahābhārata* or the Purāṇas. The temple had become the centre not merely of purely sacred or popular learning, but also of hard scientific and scholarly studies, handing down traditions of the different schools of Hindu Philosophy. The popularity of the Pūrva Mīmāṃsā is of course an index to that of the Vedic ritual for the thorough study of which it had become almost indispensable. Nos. 110, 136, and 146 of 1912 refer to an assembly making itself responsible for the taxes of a village, which is thus given away unencumbered to maintain the hall of instruction named in the

record as Vyākhyāna-maṇḍapa. Reference has been already made (p. 274) to the inscriptions nos. 201 and 202 of 1912, and no. 195 of the same year refers to a Vyākaraṇa-dāna-maṇḍapa. It is thus apparent that the temple premises were used not merely for purposes of religion but also for the study, teaching, and promotion of sacred learning which constituted the strongest support of religion itself. No. 259 of 1905 (about 1122 A.D.) records a most munificent educational endowment of not less than forty-four villages which were consecrated to the temple for the specified purpose of giving food and clothing to the students of the Vedas, to teachers of religion and ascetics. A part of the income of the endowment was also devoted to the entertainment of a fixed number of visitors, namely, fifty-four. No. 323 of 1917 records a gift for maintaining a hostel to feed daily fifty Brāhmans and ten Śivayogins who were also given oil for bathing. Out of the same gift was also employed a teacher for a free school (*dhanma-palli*).

Another most remarkable example of secular charities, of the establishment of a school, a hospital, and a feeding-house, is recorded in a huge pillar inscription at Malkāpuram in the Guntūr taluk of the Guntūr district, which 'is of very great interest both for the historical information it supplies regarding the Kākatīya kings and for the detailed

account which it gives of the famous Pāśupata teachers who preceded Viśveśvara-Śivācārya of the Gauḍa country, who was himself the royal preceptor and a highly learned scholar' (*Mad. Ep. Rep.*, 1917, p. 122). This celebrated religious leader used one of the many royal gifts bestowed upon him to found at Mandaram (the present Mandadam) all the institutions necessary for the commonweal, viz. temple, monastery, feeding-house, settlement of families of (Drāviḍa) Brāhmaṇas, schools of students of Śaiva Purāṇas, together with a maternity home and a hospital. Three teachers were appointed for teaching the three Vedas, and five for logic, literature, and the *āgamas*. There were also appointed one doctor and one accountant (Kāyastha) For the Maṭha and feeding-house were provided six Brāhmaṇa servants. Village-guards called *Vīrabhadras* were also appointed, together with village craftsmen called *Vīramuṣṭis*, who had to perform the duties of goldsmith, coppersmith, mason, bamboo-worker, blacksmith, potter, architect, carpenter, barber, and artisan. In the feeding-house arrangements were made for the feeding at all times of men of *all* castes from the Brāhmaṇa down to the Caṇḍāla—a remarkable instance of toleration and catholicity worthy of the creed followed by the donor. It was also directed that the presiding teacher appointed to supervise these charities should be liable to

removal for neglect of duty or misconduct by the entire Śaiva community (*sāntānikā*). There are other inscriptions to show that the same strict regulations applied to Śaiva teachers appointed as heads of Maṭhas (ibid., and *Ep. Ind.*, vol. XII, p. 290 f.).

The strength and staff of a Sanskrit college and hostel.

The *Madras Epigraphy Report* for 1918 brings to light a very valuable and interesting piece of evidence. It is an inscription (no. 333 of 1917) the time of Rājendra-Cola I, not earlier than A. D. 1023. It records the endowment, by the assembly of the village named Rājarāja-caturvedi-maṅgalam, of certain charities in connexion with a temple with the object of securing success to the arms of that Cola 'Napoleon' through the grace of the deity. The charities were mainly intended for maintaining a college for Vedic study and also an attached hostel for students. Arrangements were made for feeding students as described below:

(*a*) 75 studying the Ṛg-veda;
(*b*) 75 studying the Yajur-veda;
(*c*) 20 studying the Chāndoga-sāman;
(*d*) 20 studying the Talavakāra-sāman;
(*e*) 20 studying the Vājasaneya;
(*f*) 10 studying the Atharva;
(*g*) 10 studying the Baudhāyanīya Gṛhya and Kalpa and Gaṇa;

(*h*) 40 learning the Rūpāvatāra;
(*i*) 25 learning the Vyākaraṇa;
(*j*) 35 learning the Prābhākara;
(*k*) 10 learning the Vedānta.

340

Thus the total number of students of this Sanskrit college who went into residence comes up to 340. The tutorial staff of the college included, among others, the following ten professors of the Vedas:

(*a*) 3 for the Ṛg-veda;
(*b*) 3 for the Yajus;
(*c*) 1 for the Chāndoga-sāman;
(*d*) 1 for the Talavakāra-sāman;
(*e*) 1 for the Vājasaneya;
(*f*) 1 for the Baudhāyanīya Gṛhya and Kalpa, and Kāṭhaka.

It is interesting to note that the teachers in some of the subjects were paid for their instruction according to what economists know as the 'piece-work' system. Thus the professor of Vyākaraṇa was paid one *kalañju* of gold per *adhyāya* taught.

No. 343 of 1917 refers to the hostel attached to the temple where provision was made for feeding no less than 506 Brāhmans, among whom were the Brāhmans versed in the Vedas, Brāhmans in general, and the Śrī-Vaiṣṇavas. This number probably
and ten Professors of the

Sanskrit college mentioned above. It is also stated in the record that 'the great men in charge of the *ūrvāriyam* (i. e. the village supervision committee) were made responsible for the daily supply of the fire-wood required for the hostel. It is further stated that Brāhman merchants were lent some money by the assembly, the interest on which was paid by them in kind, in the shape of supplying sugar and other necessaries; and half the surplus quantity of *ghī*, milk, and curds left after meeting the requirements of worship was made over to the hostel.

Two other Sanskrit Colleges.

We have another piece of very interesting information regarding the maintenance of a Sanskrit college of a somewhat earlier date. This information is given in an extract from a set of five copper plates of a Pallava King Vijaya-nṛpatuṅga-varman given in the *Epigraphia Indica*, vol. IV. The extract is in Sanskrit. It records the gift of three villages to a college termed Vidyā-sthāna situated at Bahu-grāma (identified with Bāhūr in French India). This college was maintained by the learned men of that village and is said to have been supported by them 'like the Gaṅgā borne by Śiva on his matted locks.' The college provided for instruction in what has been called the fourteen Gaṇas, which are supposed to be the fourteen divisions of Sanskrit learning made up as follows:—Vedas (4), Aṅgas (6), Mīmāṃsā (1), Nyāya (1), Purāṇa (1), and Dharma Śāstra (1). No.

176 of 1919 (Appendix C) records another endowment by an assembly of a Sanskrit residential college (A. D. 1048). The staff of the college in its Vedic departments comprised twelve professors, three for teaching the Ṛg-veda, three for the Yajur-veda, and one for each of the following subjects, viz. Chāndoga-sāman, Talavakāra-sāman, Apūrva, Vājasaneya, Bodhāyanīya and Satyāṣṭa (āḍha)-Sūtra. In the department of Śāstras there were seven professors to teach seven different subjects, such as Vedānta, Vyākaraṇa, Rūpāvatāra, Śrī-Bhārata, Rāmāyaṇa, Manu-śāstra, and Vaikhānasa-śāstra. The number of students of the college is also given. The Ṛg-veda claimed sixty, the Yajur-veda sixty, the Chāndoga-sāman twenty, and the other Śāstras together fifty, thus bringing the total number of students to 190.

Subjects of study in arts and science.

It may be interesting to note in this connexion that the subjects of study in these days embraced a very wide field. Besides those connected with the Vedas, the Mīmāṃsā (Pūrva and Uttara), Vyākaraṇa and the Śrauta Sūtras, all of which are arts subjects, there seem to have been subjects connected with science as well. This is shown in a Nellore inscription which refers to the following eleven sciences as being studied, viz. Rasa, Rasāyana, Pādāñjana, Khaḍga-yāga, Ghuṭika (magic), Kanyakā-vāda (erotics), Mantra-vāda (spells), Dhātu-vāda

(metallurgy), Dhūmra-vada (art of producing optical illusions in smoke), Gāruḍa-vāda (science of birds), and Rasa-vāda (chemistry). The extent of knowledge acquired by some of the most successful scholars of the times is surprising. Jyeṣṭhapāda-Somayājin, one of such scholars, who was granted a village for his learning, is described as having mastered the Vedas, the chanting of Sāman, six Vedāṅgas, 'words, sentences and subjects' (i.e. grammar), Karma-kāṇḍa, Jñāna-kāṇḍa, Śruti, Smṛti, all sacred and secular learning ('Sarva-Jñāna-Vijñāna') such as 'poems, dramas, stories, epics, and legends'. He seems, however, to have been steeped exclusively in the arts or humanities and absolutely innocent of the sciences (No. 73, *S. I. I.*, vol. II, part III).

Colonies of culture.

But besides these colleges of instruction for students, the evidence of inscriptions points to the interesting fact that there were public benefactions for the purpose of establishing what may be called colonies of culture and learning, made up of households of genuinely pious and scholarly Brāhmans. No. 99 in vol. II, part V of *South Indian Inscriptions*, gives an interesting account of a gift of a village for the purpose of supporting 308 learned Brāhmans in the pursuit of their sacred avocations of studying and teaching as prescribed in the Śāstras. Regarding the qualifications of this select body of Brāhman scholars, it is stated in the inscription that they had

all studied the three Vedas and Smṛtis. The inscription applies to them various learned designations such as Caturvedin, Trivedin, Somayājin, Ṣaḍaṅgavid, Bhaṭṭa, Kramavid (proficient in the Krama-Pāṭha of the *Ṛg-veda*), Sarvakratuyājin, Vājapeyin, &c. A similar gift for establishing a similar colony of 308 Brāhmans is also registered in no. 7 of 1912. No. 277 of 1913 refers to the establishment of another cultured colony of 108 Brāhman families equipped with all the necessaries of life and even with a library called Sarasvatī-Bhāṇḍāra. No. 278 of 1913 registers a similar grant for the same number of Brāhman colonists. The significance of these records is that it was widely and popularly understood and recognized that the cause of learning and culture could be best promoted through a variety of institutions, and not merely through the one usual and prevailing type represented by a school proper meant for the instruction of formal students. It is by means of a liberal endowment of research and support of mature and advanced scholars devoting themselves to the pursuit of knowledge for its own sake that the advancement and diffusion of knowledge can be best acccomplished. The idea of establishing colonies of cultured men in specially selected areas away from the distractions of the busy haunts of men, and setting free their mental energy for the exclusive

pursuit of knowledge by placing them above all material wants and worries of life, is in accord with the highest academic ideals of the modern age, which even the most progressive peoples of the West are yet far from realizing.

In addition to the colleges for students, and colonies of advanced scholars, we sometimes find the assembly itself directly performing some kind of educational work. No. 198 of 1919 records the interesting case of an assembly holding a special meeting in response to a royal order which requested them to adjudge the merits of a literary work composed by a poet. The work was recited before the assembly, and the author obtained as the reward for his labours a grant of land to be held in perpetual ownership. 'Students of Tamil literature may find here a lingering literary tradition of the more ancient Dravidian *sangam* established in Madura to scrutinize the works of Tamil poets and advance the cause of Tamil literature.' (*Mad. Ep. Rep.* for 1919, p. 98.)

Evidence from Mysore Inscriptions.

Some of these Brahmanical colonies of culture are also mentioned in the inscriptions of the Mysore Province, which give additional interesting information. It would appear that these colonies were known by special names to distinguish them from the ordinary schools of instruction. These names are *Ghaṭikā*, *Agrahāra*, and *Brahmapurī*.

In addition to these, the various Maṭhas of the country, as has been already stated, also served as centres of higher learning where advanced scholars gathered together to widen and deepen their favourite studies, under the guidance of distinguished specialists in the subject of their choice. The term Ghaṭikā or Ghaṭikāsthāna has been variously explained as a place of public assembly for Brāhmans, or a religious centre, or an educational colony. Sk 176 (*Epi. Car.* VII) refers to a disciple who, with his guru, went to Kāñci, and desiring to be proficient in *Pravacana*, entered into every Ghaṭikā and thus became a quick or a ready debater. Sk 23 of A.D. 1167 mentions a temple as the great Ghaṭikāsthāna of the city in which it is situated. But in Sk 197 of A.D. 1182, the Ghaṭikāsthānas are described as 'supports to Dharma and mines for enjoyment'.

The Agrahāra was, however, the more usual term to indicate settlement of learned Brāhmans. It seems to have been a body corporate with its own means of maintenance, granted to it by generous donors, and powers of self-government. It started as an independent body as regards its resources and internal control. The administration of the Agrahāra vested in its Sabhā. Proceedings of some f these Sabhās are recorded in the inscriptions (*Ep. Car.*, vol. IX, pp. 127–132).

The most distinguished centre of education in

ancient Mysore seems to have been a place called Belgami in the Shikārpur taluk, which consisted of no less than seven Brahmapurīs, three Puras, five Maṭhas, and several Agrahāras. Sk 186 records the interesting story that a king, not finding a vipra-kula or a Brāhman family in the Dakṣiṇā-patha, imported from the north thirty-two Brāhman families whom he settled in the Agrahāra of Tālgunda near Belgami. This is a grant of a Kadamba king of the third century. An earlier Śātavāhana grant of the first or the second century (Sk 263), however, refers to a similar grant for a Brāhman settlement. Sk 177, 178, 185 show how the educational impulse given by the grant of Sk 186 resulted in the growth of considerable literary activity, centring in an Agrahāra of considerable dimensions deriving its maintenance from no less than 144 villages, all acquired as fees for as many as eighteen horse sacrifices performed by the Kadamba king Mayūravarman.

Sk 14–18 refer to grants made to 1,300 Brāhmans of Begur situated in the northern Edenad 70 of Banavāsi 12,000 (the figure indicating the revenue value attached to the place). These inscriptions are very valuable as showing the circle of knowledge then available and cultivated. There are mentioned the four Vedas with their Aṅgas and Upāṅgas; Mīmāṃsā, Lokāyata, Bauddha, Sāṅkhya, Vaiśeṣika, and other Śāstras and Āgamas; eighteen Smṛtis,

Purāṇas, Kāvyas, and Nāṭakas. Sk 92 and 96 describe the attainments of the learned chief of the Kodiya Maṭha at Belgami named Vāmaśakti. In grammar he was Pāṇini, in drama and music, Bharata, in poetry, Subandhu or Magha, in Siddhānta, Nakulīśvara.

Belgami, besides these educational institutions, possessed three medical dispensaries according to the evidence of Sb 277 in 1158. Sk 102 shows that in 1162 the Kodiya Maṭha was known as a place for the treatment of destitute sick persons.

Most of these institutions are of the twelfth century, the time of the great Liṅgāyat revival throughout the Kannaḍa-speaking countries, superseding the Jains and ousting the Brāhmans. Hence the growth of such institutions for the protection of Brahmanical culture, as rightly pointed out by Rice (*Ep. Car.*, vol. III, p. 8).

The service of man.

Examples of these benefactions help to modify the impression that religious charities in India have always flowed in one particular channel and assumed one stereotyped form, viz. the direct furtherance of the worship of the gods. The type of charities we have just considered shows conclusively how the religious sense of the people in these ancient times was quite sound and even 'modern' in its tendencies, by endowing not simply the temples of gods but also the hardly less sacred temples of learning, with

institutions aiming at the relief of human suffering, thereby recognizing that the service of man was not the least important mode of serving and worshipping God.

§ 2

PROOFS OF EFFICIENCY

Tests of the efficiency of administration.

We have now considered the growth of local administration in ancient India in its various aspects and spheres of activity, together with the machinery of government evolved to cope with the manifold interests of communal life in ordinary and normal times and situations. But the test of the efficiency of a government lies in its capacity to deal with extraordinary circumstances and abnormal situations and to develop a proper degree of public spirit in the governed. There are numerous proofs and instances on record which will enable us to conclude that, judged by those two tests of government and the criteria of its efficiency, our ancient system of local administration will not be found to be wanting or to break down. In trying times and exceptional situations, such as those of a famine for example, we find that the assemblies rise to the occasion and to a full sense of their responsibilities in that regard. A South Indian inscription of about A. D. 1054, for instance, records how a village, being visited by a

(1) Capacity to cope with difficulties.

Examples of the commendable manner and methods in which local bodies dealt with famines.

famine, the assembly of the village, expecting no succour from the king, themselves moved in the matter of securing relief for the people. They secured a loan of 1011 *kalañju* of gold and 464 *palam* of silver in jewellery and vessels from the local temple to which they mortgaged 8¾ *veli* of the common lands of the village, from the produce of which the interest on the loan was to be paid (*Mad. Ep. Rep.*, 1899–1900, p. 20). Another case of famine is reported in the reign of Kulottuṅga Cola III in inscriptions nos. 274 and 279 of 1909 (*Mad. Ep. Rep.*, 1909–10, p. 95) when the assembly of Tirukkacchūr borrowed 15 *kāśu* of a generous individual, and for interest gave him a piece of land belonging to the whole village, the government dues on which they themselves paid. Thus where there was even no remission of taxes by government the assembly were more mindful of their duties. The private person was a generous donor who provided for temple worship, seeing it was neglected during the time of the famine. No. 397 of 1913 also records a similar case of famine, or 'bad time and scarcity of grain', and a loan which was arranged by the assembly to tide over the difficulty by borrowing from the temple treasury sums amounting to 60 *kāśu* with interest at 2 *tūṇi* and 3 *kuruṇi* of paddy on 1 *kāśu*. No. 353 of 1909 records another interesting case. Rājendra-Deva (A.D. 1052) paid

some gold to an assembly for building a stone temple. They had built five *aṅgas* of the temple for half the money when famine occurred and the assembly could neither complete it nor return the money. The temple authorities complained against them, and the assembly was eventually let off on supplying an image of the god found wanting in the temple. This is another case of royal indifference, contrasted with the assembly's concern in the matter of the popular weal.

Most of the famines mentioned relate to the time of the decline of Cola power towards the latter part of the reign of Kulottuṅga III, who reigned from about A.D. 1287 to 1327, when there was considerable unrest in the country. One of the signs of that unrest or unsettlement is indicated in no. 264 of 1913 (*Mad. Ep. Rep.*, 1913–14, p. 30), which registers the gift of a lamp, oil, and wicks to be provided out of the interest on 1,100 *kāśu* deposited only for a fixed period of five years and not permanently, so that the assembly had to produce the amount of the deposit every five years before it was renewed. This condition betrays a want of confidence and a sense of insecurity due to the weakening of the central authority in the country. Even temples had to part with their jewellery to pay for the cost of erecting certain necessary structures during those days of famine

in the reign of Kulottuṅga III (see no. 458 of 1913). In such hard times it is refreshing to observe proofs that the local administration did not break down. When the strong arm of a vigorous central government was withdrawn, we find a local administrative body stepping forward to afford full protection to the people under its charge in the disturbed state of the country. No. 273 of 1914 states that 'the assembled people (*nāḍu*) of Valla-nāḍu declared that thenceforward they will afford protection to the cultivators residing within the four boundaries of the sacred village of Tiruvaraṅgulam and its *devadāna* villages. If in the course of this protection any one of the assembly was found to rob, capture the cows of the cultivators, or do other mischief to them, the assembly agreed to assign two *mā* of wet land to the temple by way of fine for the offence committed' (*Mad. Ep. Rep.*, 1914–15, p. 99).

(2) The growth of public spirit in the people. Some typical examples.

Besides their capacity to cope with difficult situations, the indigenous local administrations must also be credited with producing a high level of public spirit in the citizens. We have even some instances in which the public spirit or patriotism becomes a passion leading to extremes. No. 411 of 1912, assigned to the eighth year of Rājaraja I, (about A. D. 992) records that 'a certain Kalipperumān lost his life in the act of affording protection against ruin to his native village. Perhaps he sacrificed his

life voluntarily, or in defending the village against an invading enemy. The good residents of the district in which Marudāḍu was situated provided for a permanent lamp to burn in the temple of Perundirukkoyil-Ālvār at that village in order to secure merit for the martyr' (*Mad. Ep. Rep.*, 1912–13, p. 96). Here the patriotism of the individual has been rewarded by the gratitude and abiding recognition of his community which immortalized, by a monument more enduring than brass, the memory of a man who gave up his life for them. Another notable instance of individual service and communal appreciation is recorded in nos. 119 and 120 of 1908. The temple of Tiruttaliyāṇḍa-Nāyanār at Tiruppputūr is stated in those records to have been occupied by the encamped Muhammadans (probably under Malik Kāfūr in A.D. 1310), and to have been consequently ruined and desecrated. The inhabitants of Tirupputūr were therefore very much unsettled. At this juncture a certain Viśālayadeva of Kuraikkuḍi, surnamed Avaiyan Periyanāyanār, reconsecrated the temple and saved the people apparently from imminent moral and religious degradation. 'The villagers of Tirupputur, of their free will, agreed among themselves to show their gratitude to Viśālayadeva by assigning to him a specified quantity of corn from the harvest reaped by each individual and to confer on him certain

privileges in the temple of Tiruttaliyāṇḍa-Nāyanār' (ibid., 1908–9, pp. 82, 83). Some inscriptions from the Madaksira taluk of the Anantapur district, ranging over a long period from the early ninth century, illustrate the heroic sacrifices of certain 'village Hampdens' and the grateful appreciation of the villagers concerned. No. 479 of App. B of 1916 mentions the case of a villager successfully repelling two or three destructive raids for which he was rewarded by a grant of land. No. 753, ibid., mentions the death of both son and father in a battle for their village. No. 17 of App. C of 1916 records the fame of a village warrior who defended his village against attacks. A heroic fight is described in no. 33 of App. C, in which the hero is said to have dispersed the attacking army of 1 lakh (?) infantry and 1,000 horse, and killed 500 men and 100 horse. Nos. 19 and 58 of App. C mention a rent-free grant of land as the reward of blood spilt in the cause of protecting the community or village (all the above inscriptions are in *Mad. Ep. Rep.*, 1916–17). In this connexion we may refer to the *vīrgals* or hero-stones of Mysore, which mostly record grants of land in addition to commemorating the deaths of heroes. An inscription on the Begūr stone and also a sculpture found in the Bangalore taluk record the death of the commander of the Nāgattara troops in a battle that was fought between the forces of

Ayyapadeva and those of Vīramahendra, and also the appointment of his successor and grant of villages to him (A. D 908–38; see *Ep. Ind.*, vol VI, p. 45). A second clause in the supplementary inscription on the Atakūr stone of A. D. 949–50 (see ibid., p. 57) gives another instance of a grant of villages in recognition of bravery in the battle-field to a hero who fought and survived, and we further learn from this record that grants of this kind were sometimes accompanied by the ceremony of washing the warrior's sword, just as religious grants were usually accompanied by the ceremony of laving the feet of the priest into whose hands the donation was actually given (Fleet, in *Imp. Gaz.*, 1908, vol. II, p. 60). The Ablūr stone of about A. D. 1219 in the Dharwār district commemorates the death of the brothers Māca and Goma fighting valiantly to repel a cattle-raid against their village led by Īśvaradeva of Belagavatti, modern Belagutti, in the Honnāli taluk of the Shimoga district (*Ep. Ind.*, V, 262). The tablets of Kil-Muttugūr, Ambūr (villages in N. Arcot district), Naregal (Dharwār district), and Baṅgavāḍi (Kolār district) similarly preserve the memory of other village heroes who sacrificed themselves in repelling cattle-raids (*Ep. Ind.*, vol. IV, 178, 182, 183; vol. VI, 162; VII. 22). Many other cases might be cited.

The inscriptions regarding the heroism of the

Indian 'village Hampdens' sacrificing themselves for the good of their communities are indeed too many to be noticed. We can only select some further typical examples. No. 1 of 1896 records how a rural hero sought to recover the village cattle seized by a king of the Western Gaṅga dynasty but unfortunately perished in the attempt. No. 199 of 1897 records the death of another warrior under similar circumstances. In fact cattle lifting seems to have been a most common occasion for the display of rural patriotism and military spirit. We have a number of records of a single year (1905) testifying to this particular variety of these heroic examples (e.g. nos. 288, 290, 291, 292, 298, 299, and 300). No. 7 of 1896, which is a Pallava record, tells of the death of a man's son and nephew in resisting a cattle raid upon his village; and, what is more interesting, the attached sculpture contains the representation on stone of one of the warriors figured with bow and arrow in his hands and himself pierced by the arrows of his enemy.

Sometimes the causes of such heroism were distinctly political and truly patriotic in their character. We have a few more records to show this. No. 411 of 1912 records how a man fell in his attempt to fight against the enemies of his village. No. 427 of 1906 records a similar example of a hero who, after effecting the rescue of his village from

hostile attacks, afterwards perished from the wounds he received in the fight. The grateful villagers have tried to immortalize his memory by having carved on stone the figure of their hero with a club in each hand.

No. 318 of 1912 records the interesting instance of a servant dying in a battle for his master. No. 337 of the same year records the noble example of one dying in a battle for the sake of his friend. No. 2 of 1896 records the case of a more fortunate man who served his village by killing a different kind of cattle lifter, namely, a tiger.

It may be noted that this record of rural heroism and public spirit has come down to comparatively later times. There is a Madura taluk record of about 1705 A. D., which registers a rare and singular case of self-sacrifice. It seems that some officers of Government tried to make undue collections of taxes from some villages belonging to a temple which were tax free. Hopeless of any effective remedies against this unjustifiable extortion, a devout servant of the temple determined to sacrifice his life as a protest in a spirit of extreme passive resistance, which will put to shame many a modern follower of the creed. The man went up to the top of the tower of the temple, from which he let himself fall down as a sacrifice at the altar of his religion. The State officials were of course brought to their senses

after this extreme protest. Another record of the same place relates that when a regiment of Europeans, after destroying the temple, had seized the town and were advancing further, a certain Kutti was persuaded by the managers of the temple and the local people to throw himself down from the tower. After his death, the grateful public made a free gift of some lands to his descendants and also granted them a share in the food offerings to the temple.

Thus the evidence conclusively shows that the system of local government as it obtained in these ancient times served to produce a public spirit in the people, which exhibited itself in many forms, and did not fail to obtain due recognition at the hands of those it served.

Religion, like patriotism, has also its own record of self-sacrifice. An eighth-century record in the Pudukkoṭṭai State commemorates the names of six ascetics who wandered from home into homelessness in the interest of their spiritual life. Military heroism was as much honoured as the more peaceful, but hardly less difficult, one that renounced the world for the quest of truth.

But the public spirit of the people generally flowed along other and diverse channels. It determined the character of the communal assembly also. Both the assembly as a collective body and the individual

members often vied with one another for the promotion of the public good. To the public spirit, patriotism, and religious sense of both parties the villages owed all the public institutions in which was centred the intellectual and spiritual life of the community. The religious spirit decorated the villages with new temples and shrines; created liberal endowments for their repair, maintenance, and development; and made provision for the multifarious necessaries and accessories of worship elaborated or invented by a pious imagination. It is difficult indeed to enumerate the manifold forms assumed by the popular religious offering. The commonest form repeatedly evidenced in numerous epigraphic records was the provision of the sacred lamp eternally burning before the gods of the temples, implying the provision of a perennial supply of the necessary oil and wicks. Sometimes improvement was made upon that by the provision of camphor lamps. In other cases the piety of the people loved to associate itself with a more direct service to the gods: some took charge of their food, creating the necessary endowments for its constant provision; others concerned themselves with the supply of the proper bathing-water, worthy of the deity, for which the necessary scents were permanently assured; others interested themselves in the gods' anointing; others were more anxious to assure that the pro-

cessions of the gods on festival days should always be carried out with due dignity and pomp, and must be under no risk of discontinuance due to want of funds; in others, again, the pious imagination seized upon the beating of drums at festivals as the fittest form of worship that could be offered. We have already cited the inscriptions recording these various forms of devout offering. There are again cases in which the gift of provision for processions is followed up by that for procession paths. No. 45 of 1914 (*Mad. Ep. Rep.*, 1914–15, p. 13), of Rājarāja II, found at Tiruppanandāl, records a grant of land for laying out a road called *Rājagambhīran-tiruvidi* for the god to pass through to the river Kollidam for the sacred bath festival. The inscription adds that 750 coco-nut trees were to be planted and cherished on both sides of the new road, and the income derived from them to be spent on providing lights and sundry other expenses in the temple. Similarly, no. 66 of 1913, App. C (*Mad. Ep. Rep.*, 1912–13, p. 77), of Kulottuṅga-Cola III refers to lands purchased by a private individual for the purpose of laying out a road through which was to be carried in procession the image of Śirāla-Pillayār from the shrine of Śiruttoṇḍadeva at Tirucchengāttāngudi to the village Marugal. These lands were removed from the list of taxable lands under orders of the king. No. 397 of 1914 (*Mad. Ep.*

Rep., 1914–15, p. 40), again, records the collective gift by about twenty-five individuals of a temple, a golden shrine, stone and metallic images of gods, together with provision for processions, and the construction of a watering-shed and well for the use of devotees, with the assignment of sufficient lands for the upkeep of the aforesaid charities. Sometimes, again, the offering took the more useful form of providing for the recital of the *Mahābhārata* for the edification of a village (no. 163 of 1909, *Mad. Ep. Rep.*, 1909–10, p. 19). There are again instances of public amusements being provided for in connexion with the temples. No. 65 of 1914 (*Mad. Ep. Rep.*, 1914–15, p. 16) records a gift of land by the great assembly of Kāmaravalli-caturvedi-maṅgalam to Śākkai Mārāyan Vikramaśolan for performing the dance (*sākkaikūttu*) thrice on each of the festivals *Mārgalitiruvādirai* and *Vaigāsitiruvādirai*. No. 253 of 1914 again records a similar gift of land to a lady for giving nine performances of dancing before the god at Tiruveṅgavāśal in the fourteenth year of Vikrama-Cola. It may be noted that such public amusements were also encouraged by the kings. Rājarāja I instituted the representation on the stage of a drama entitled *Rājarājeśvarī-nāṭaka* (*South Ind. Ins.*, vol. II, p. 306). No. 211 of 1912 (*Mad. Ep. Rep.*, 1912–13, p. 29) records the personal attendance of Rājarāja III at a

singing party in the *Rājarājan-maṇḍapa* at Tiruvorraiyūr. Sometimes again the religious benefaction took the remarkable form of providing hereditary servants for temples. No. 122 of 1912 records an instance in which five women with their descendants were assigned to the temple of Tiruvorraiyur for husking paddy. This temple, it has been seen (p. 274), possessed the famous grammar-hall for teaching Pāṇini's grammar, and was a great centre of intellectual and religious activity. We have again seen instances where the religious feeling expressed itself in the rescue of images that were being removed, the reconsecration of desecrated temples, or the restoration of a worship that had been neglected owing to bad times. Lastly we may instance, as further expressions of the same feeling, the foundation of Maṭhas and monasteries which served as strongholds and centres of both religion and learning, where the higher elements of the culture of the race were conserved. Such colleges were the agencies of popular education, diffusing the light of both knowledge and religion.

It is worthy of note, too, that this religious spirit was not confined only to the cultured classes of the community but it pervaded all its ranks. There are many instances on record of the lower and poorer classes making gifts to temples. No. 241 of 1912 mentions the gift of five lamps by shepherds. No. 274 of 1910 records another gift made by twelve

families of fishermen under an agreement signed by the overseers of the division (*Nāḍu-kan-katchi*).

Like the religious spirit the patriotism of the community also expressed itself through appropriate secular charities. We have already seen how the Smṛtis lay down among the duties of the assemblies or *samūhas* the preservation and maintenance of public halls, wells, water-courses, and tanks for supply of water both for drink and irrigation, as also relief of the normally helpless and the occasionally helpless, in times of famine for example. Actual performances of these ideal precepts are amply recorded in our inscriptions, both North and South Indian, as we have already seen. Although the quantity of religious benefactions is much greater than that of the secular, yet we do find some remarkable examples of the latter. In the northern inscriptions, for instance, we find gifts of a cistern (*pāniyaka* and *poḍhi*) or a water-cistern (*pāṇiya-poḍhi*), benches, chairs, and walks (nos. 986, 995, 998 in Lüders's list). But the quantity of evidence in South Indian inscriptions is, as usual, more copious. We have already considered the numerous references in the epigraphic records to the gifts of tanks, sluices, and irrigation channels, the maintenance of which was accepted by the assembly as one of its legitimate duties, for the due discharge of which a separate committee was created, called

the tank committee. The tank committee, along with the garden committee, had in fact as their main duties the administration of the benefactions and trust properties which the public spirit of the community always placed at their disposal in abundance. Nor should we omit a reference to institutions like the historic grammar-hall for the teaching of Pāṇini attached to the temple of Tiruvorraiyūr, which was maintained for a long time by a series of benefactions both private and official.

CHAPTER X

CONCLUSION

We have now completed our account of the local bodies of ancient India, their organization, structure, and functions. It is apparent that the South Indian evidence preponderates over the North Indian. The defect of the former is that it is comparatively late in date. Nevertheless, one can trace in it the continuation of the same features and tendencies, the same principles of evolution and organization as are reflected, though dimly, in the documents of the north, both literary and epigraphic. The signal merit of the southern evidence consists in its definiteness, copiousness, and abundance of details, rendering quite explicit what is very often merely implicit in the northern, and demonstrating the practical realization in actual application of the various ideal principles and maxims of local administration embodied in our Smṛtis and other forms of literary testimony to which we have referred in the course of this inquiry. The comparative chronological modernity of the southern evidence is indeed more

Comparison of North and South Indian evidence.

The priority in date of the former,

and superiority in details of the latter,

than compensated by its quantity and the variety of its details which it is impossible to exhaust and investigate completely. The material is still growing, rendering the task of the investigator more arduous and his work less complete. For example, the Tanjore inscriptions alone, associated with the Cola King Rājarāja I (A. D. 985–1013), testify to the existence of no less than 150 village-assemblies and of 40 other villages where the affairs of the village were administered, as in the city-states of ancient Hellas, by all the inhabitants collectively. As Mr. Venkayya points out (*Arch. Surv. of Ind. Report* for 1904–5, p. 135) the system must have been in operation in thousands of other villages whose names and exact number await discovery by future researches. Neither the period nor the circumstances in which such village-assemblies arose in Southern India can be definitely ascertained. In Mr. Venkayya's opinion the mention by Megasthenes of six boards of five members each, to which the evidence of the Uttaramallūr inscriptions closely corresponds, favours the supposition that the system was carried into Southern India by the Aryan immigrants, and that slight alterations probably were made to suit the conditions of the south. The same hypothesis will serve to explain the lateness of date of the South Indian evidence bearing on the local bodies which seem to have owed their origin

which is still growing.

A possible explanation of the lateness of date of the latter.

to the transplantation of the earlier North Indian institutions.

Sanskrit terms in use in the South.

But along with the transplantation of the institutions there has been also a transplantation of names with them. The terms Sabhā and Mahāsabhā of the Southern inscriptions have the authority of the Veda for their currency. (Has the Samiti of the Veda, the term for the general assembly of the people, been converted into Mahāsabhā for the sake of greater definition?) It may be noted that the term Sabhā is retained in the expression Nigama-Sabhā occurring in a Northern inscription. We have again in the South such terms as Samvatsaragrāmakārya committee, Mūlapariṣad, Nirvāha-Sabhā, Maṭha, Sthānika, Nagara (with a vernacular suffix), and the word Gaṇa in such formations as Gaṇapperumakkal and Ālumgaṇattar already referred to, as also Rahasyādhikārīn, Adhikārin, Senāpati, Madhyastha (names of officers), Ājñapti, pramāṇa (deed), vyavasthā, parihāra (immunities), grāmadrohin and kaṇṭaka, madhyama (village common), gopracārabhūmi (pasture), and the like. These Sanskrit terms thus adapted into the popular political phraseology of the South supply one more proof of the common origin of developments that seem different in their necessary local variations.

Some conclusions from this inquiry.

Some of the results of this inquiry, and the conclusions to which it points, may now be indicated.

The first characteristic feature of these Indian local bodies is that they are not uniformly composed and constituted. They present a variety of types. The principle of the association is not always the same. As in the sphere of the central government, Indian political evolution has realized itself through diverse types of state and not the one uniform and invariable autocratic or theocratic type, as is too commonly supposed, similarly, even in the smaller sphere of local government, there has been a considerable diversity of political growths.

Variety of types of local bodies.

The two principles of their formation, territorial and communal.

The various local institutions on closer analysis will be found to illustrate two types of political formation, namely, (*a*) Territorial, where the principle of association is that of neighbourhood, the bond of physical connexion promoting associated life among the children of a common soil ; (*b*) Communal, where the group formation is not determined by the physical, but—broadly speaking—by the moral or spiritual factor. It is not the relationship to a place, but the community of interests and functions that leads to the grouping. It is also to be noted that such associations of interests or functions were of course determined in India by the fixed social divisions of the country, and not by the free choice of the units composing the associations. They are not deliberate groupings dictated by self-interest and subject to changes in their composition—not

spontaneous or natural but hereditary groupings. The terms and conditions of the association were immutably fixed in accordance with the principles of the larger social grouping and organization regulating the entire life of the community.

These two types of political institutions were co-existent in the villages of India. The Sabhā was the assembly of the Brāhmans in which other castes had no place. But, though the principle of its formation is communal, its actual working and functions proceed upon the territorial principle. As has been abundantly demonstrated in the evidence adduced, the Sabhā was the supreme governing body of the village, but the village was not of course, inhabited by the Brāhmans alone, but by people of other castes as well. We have already seen from one inscription referred to above how in the composition of the so-called villages other castes found their natural and necessary place. Every village, therefore, was bound to be a heterogeneous composition, but governed by a homogeneous body. Thus the Brāhman Sabhā is to be understood as a wider body than that limited and close corporation called the caste. It is communal in origin and structure, but is governed by the contrary principle as regards its functions.

Examples of both.

But the Sabhā was not the only type of the governing body of a village. There were villages

governed by assemblies called Ūrār, of which, as we have already seen, the structure and functions were determined by the territorial principle. They were not constituted by a single caste, but by all castes. They were thus strictly territorial, political assemblies or democracies. No doubt the extant evidence regarding these general assemblies of the people is extremely meagre, but this may be explained by the fact that the circumstances which usually furnish such evidence were themselves rare in their case. Most of the benefactions, from diverse sources, royal or private, Brahmanical or other castes, as recorded in the published inscriptions, are generally connected with temples and Brāhmans.

Their distinctive developments.

It is further to be borne in mind that each of these principles of grouping seems to have evolved its own way of political development for the people in the growth of larger assemblies and federations in an ascending scale of democratic life and extending circles of territorial jurisdiction. Thus the Mahāsabhā was a development on some lines out of the Sabhā. The individual village is not a world unto itself, but is viewed as part of a larger whole. There is thus a widening of the sphere of interests and public service. Similarly, the general assembly of the village, representative of the entire people, the Ūrār, is carried to its next stages of development in the Nāṭṭār or District Assembly and the yet

larger assembly of Nāḍu or Division. And yet larger than the assembly of a single Nāḍu, we have references to the great assembly of twelve Nāḍus (no. 600 of 1908, a Cola epigraph), nay of seventy-nine Nāḍus covering an area as vast as a province. In another inscription, as we have already seen, we have the number of men attending such a meeting given as 1,500. A list of seventy-nine Nāḍus making up a part of the Cola empire of Karikāla is given in an old Tamil document called *Thondai-Mandala-paddayam* (cited in *Madras Review* of 1896, pp. 94–95). The *Malabar Manual* (vol. I, p. 89) quotes the following words of the Honourable Company's representative at Calicut regarding these old institutions: 'The Nad or County was a congeries of *taras* or village republics, and the Kuttam, or assembly of the Nad or County, was a representative body of immense power which, when necessity existed, set at naught the authority of the Raja and punished his ministers when they did unwarrantable acts' (quoted in *Madras Review*, ib., p. 325). One inscription, as we have already seen (p. 240), refers also to this assembly of the Koṭṭam.

We have again evidence of the existence of yet larger and more composite formations than these simpler assemblies. In one inscription we find the joint session of the assemblies of the Nāḍu and Nagara for the important purpose of converting

a village into a mercantile town. In another, there is a joint conference between the Nāḍu assembly, and those of Valaṅgai 98 and Iḍaṅgai 98 sects, to settle certain royal dues. In these parliamentary assemblies we also find the representation of special interests.

Besides these various types of strictly political associations or territorial structures, we have a similar story of development as regards the non-local communal corporations. The special interests of cities seem to have been administered by their own special bodies called the Nagarattār, the assembly of the Nagara or city. The arts and crafts had their own guilds as their governing bodies. We may refer also to the large guild of oilmen comprising those of Kāñci and its suburbs and of twenty-four Nagaras. Similarly, there were large leagues of merchants, almost Hanseatic in their dimensions, scope, and activities, of which we have already cited some typical examples. It may be easily understood that these industrial combinations, based as they are upon the non-local principle, upon community of occupations and interests, can not have their particular kind of jurisdiction limited by any local boundaries. They have a different principle of growth which transcends physical limitations. Akin as regards the principles of formation and working to these commercial com-

binations are also the many educational corporations and religious brotherhoods of the country like the Maṭhas, which show a considerable capacity for organization by which different centres of culture are affiliated to a common seat of authority from which they are all regulated and controlled. The Golaki Maṭha, according to an inscription, exercised its jurisdiction over as many as three lakhs of villages.

Lastly, we have also seen how the various non-local, communal assemblies, representing different social functions and interests, were capable, when necessary, of merging themselves in a composite and federal assembly, and how Brāhmans and black-smiths, goldsmiths and merchants, often met on a platform of equality to administer their common civic interests.

Northern evidence confirmed by southern

These different types of local bodies are also illustrated in the evidence of Northern India, which is remarkably confirmed by that of the South, as regards the course pursued by the development of local government throughout India. The traditions and practices of local government, which were, of course, much older in the North than in the South, seem to have been fixed as early as the time of Pāṇini. It will appear from the evidence already cited that Pāṇini uses the term Saṅgha in a generic sense to indicate all deliberate local associations

other than the central government. Such associations are based upon a community of Dharma or ends (see *Kāśikā* cited above) and are of various types according to the various ends or principles of union. Thus a variety of Saṅgha is the Śreṇī which may be both a craft-guild and a merchant-guild. The Vrāta is based on non-peaceful pursuits. The Pūga is based on citizenship, the territorial principle. It was thus the federation of all sectional or communal assemblies. A yet higher development seems to have been embodied in the Gaṇa or political government of the popular type. The later legal literature carefully distinguishes the functions of these bodies. Each of them is invested with executive and judicial functions and other powers of government within the limits of its prescribed jurisdiction. The closest corporation is the Kula based on kinship. The basis is widened in the Śreṇī, in which the community is not of blood but of interest, while the Pūga embodies the final development of the series, being based absolutely on local community, the limits of which may embrace larger areas than those of Grāma or Nagara as explained by the *Mitākṣarā*. Thus the Sabhā of the south corresponds to Kula (the term being still used for the institution existing even now in some parts of the south), the various guilds to the Śreṇī and the larger assemblies of

Nāṭṭār and Nāḍu correspond in the principle of their formation to the Pūga.

A noteworthy example of a composite corporation representing different interests and functions is given in a northern inscription (the Mandasor inscription of Kumāragupta cited above). The inscription narrates that a guild of skilled silk weavers (*prathita-śilpāḥ*) immigrated from the Lāṭa Viṣaya (central and southern Gujarāt) into the city of Daśapura, 'being attracted by the virtues of the kings of the country'. There the members of the guild pursued different occupations according to their tastes. Some specialized in music, some in story-telling (*kathāvidaḥ*), some in religious discourses (*dharma-prasaṅga*), some in their old craft (of silk weaving), some in astrology (*jyotiṣa*), others distinguished themselves in war (*samarapragalbhāḥ*) destroying their enemies, others, again, conquering attachment to the world (*vijita-viṣayasaṅga*), devoted themselves to piety (*dharma-śīla*) and shone like gods. Thus the religious and the secular, the spiritual and the practical, the literary and the military, find their place and scope under a common organization. But this extraordinary diversity of pursuits within the same guild did not affect its corporate life or weaken its internal cohesion. Contradictions and disagreements of tastes and occupations were blended into a harmonious synthesis under the inspiration of

Remarkable northern evidence in an inscription.

a larger civic consciousness. The skilled musician, the valiant soldier, the clever weaver, the entertaining story-teller, the moralizing preacher, the fortune-telling astrologer and the other-worldly ascetic—all meet in the embrace of a larger life. The consequence of this concord and co-operation was that the guild as a whole grew in power and prosperity, so that out of the abundance of its communal funds was constructed 'a noble and an unequalled temple of the sun'—a monument at once of its material and moral pre-eminence (*udāra*). Thus the history of this particular guild is a lesson in administration that has to deal with conflicting communities and interests. It is also surprising how a mere craft guild could nourish so much of intellectual life and culture among its members and open out to them within the ambit of its jurisdiction the opportunities for unfettered self-development.

A due fostering of group-life, or of the vital modes of human association, will substantially solve the problem of popular government.

The luxuriant growth of these local democracies based on every possible principle of formation must modify the opinion of such critics as declare that 'In ancient India there was nothing of the nature of a political institution between the village and the central government' (Sir W. W. Hunter quoted in J. Matthai's *Village Government in British India*, p. 32), or that communal associations based upon caste do not admit of the juxtaposition of both political and social functions, or of their federation for purposes

common to different communities and castes. On the other hand, it may be quite reasonably assumed that it is the very growth of these numerous, multiform, intermediate assemblies between the state and the individual which can most effectively help on the evolution of Indian political life, along the lines of natural growth and least resistance, from the local to the central government, the rural to the national democracy. This pluralism of the group, as an intermediate body between the state and the individual units, has been the most characteristic feature of Indian polity through the ages, and indicates the lines on which Indian political development should proceed. The path of this political development should lie in the direction of 'incorporating more and more the life of the individual and the general will of the state-personality into the varied forms of social grouping'.[1] It is for statesmanship to consider how it should utilize these

[1] *The New State: Group Organization the Solution of Popular Government*, is the highly significant title of a recently published book (Longmans, March 1919) by M. P. Follet who states:—'One of the characteristics of present political *theory* is its reaction against the state, and a salient political *fact* to-day is the increasing amount and power of group-life—trade-unions, professional societies, citizens' leagues, neighbourhood associations, &c. . . . Group organization is to be the solution of popular government . . . The study of the group process . . . shows us that politics cannot be founded on representative or electoral methods but *must rest on vital modes of association.*'

traditional and historic advances towards a democratic polity as materials for the political experiments and constructions of the future.[1]

[1] A comprehensive survey of the extant, indigenous, local, and social democracies of India will appear in a forthcoming work by my brother, Dr. Radhakamal Mookerji, M.A., Ph.D., of the Calcutta University.

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India, as the author reminds us, enjoyed from the earliest dawn of its history a singularly complete system of local government. This fact offers the main explanation of the easily existence of great Indian empires comparable to the West. Thus the book aims as a systematic presentation of an important aspect of Indian culture-history, the origin and development of various local institutions through which the communal life of the country expressed itself. The remarkable range, volume and variety of the evidence bearing on the subject call for a methodical and scientific treatment which will bring into prominence the exuberant vitality and manifold growth of self-governing institutions among the people characterised by a genius for social experiments and constructions.

The truth is that India is fundamentally one, physically and culturally. However, the present work does not treat of all classes of local bodies in ancient India, the educational and purely religions bodies like the *Parisads* and *sanghas* for instance, which require separate monographs by themselves, have been excluded from its purview.

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